

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CYNTHIA BARRY,
Plaintiff,

v.

UMASS MEMORIAL MEDICAL CENTER,
INC.,¹
Defendant.

CIVIL ACTION NO. 4:16-CV-40104

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, the Defendant, UMass Memorial Medical Center, Inc. (“UMass Memorial” or “Defendant”), removes this action to the United States District Court for the District of Massachusetts. The grounds for removal are as follows:

1. This action arises out of the former employment relationship between Plaintiff Cynthia Barry (the “Plaintiff”) and UMass Memorial. While employed by UMass Memorial the Plaintiff was a member of a bargaining unit represented by the State Healthcare and Research Employees (the “Union”). The Plaintiff’s employment was subject to the terms and conditions set forth in the collective bargaining agreement between UMass Memorial and the Union. In her Complaint, the Plaintiff alleges, among other things, claims based upon the collective bargaining agreement.

2. Specifically, in Count V, the Plaintiff asserts a claim for declaratory relief seeking a declaration that, “her termination of employment [was] in violation of the SHARE (UMass contract).” Complaint, ¶ 80. In Count VII, the Plaintiff asserts a claim for breach of contract,

¹ The Plaintiff’s Complaint names the Defendant as “UMass Memorial Medical Center/UMass Memorial Healthcare. The proper name of the Plaintiff’s former employer is UMass Memorial Medical Center, Inc.

alleging that, “she is a member of a union at UMass Memorial and covered by the union contract” Complaint, ¶ 86. She further alleges that she has standing under the contract and that “UMass Memorial violated the union contract by terminating her without cause, under false pretenses and without a full hearing with due process and the right to counsel.” Complaint, ¶¶ 87 and 88. Although she does not specifically reference the collective bargaining agreement in Count VI, in that count she claims that, “UMass breached the contract of employment with Barry,” which presumably is also a reference to the collective bargaining agreement. Complaint, ¶ 83.

3. This Court has original jurisdiction over this action under 28 U.S.C. § 1331, which may be removed to this Court pursuant to 28 U.S.C. § 1441. Under Section 301 of the Labor Management Relations Act (“LMRA”), 29 U.S.C. § 185, the district courts of the United States have original jurisdiction over any action brought for “violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce.” Section 301 of the LMRA confers federal jurisdiction over “suits for violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce.” Section 301 preempts a state-law claim “if the resolution of [that] claim depends upon the meaning of a collective bargaining agreement.” BIW Deceived v. Local S6, Indus. Union of Marine & Shipbuilding Workers of Am., IAMAW Dist. Lodge 4, 132 F.3d 824, 829 (1st Cir. 1997) (quoting, Lingle v. Norge Div. of Magic Chef, Inc., 486 U.S. 399, 405-406 (1988)). “[T]he Supreme Court has deemed labor contracts within its scope ‘creatures of federal law’ and treats section 301 as a warrant both for removing to federal court state law claims preempted by section 301 and then dismissing them.” Haggins v. Verizon New England, Inc., 648 F.3d 50, 54 (1st Cir. 2011) (quoting, O’Donnell v. Boggs, 611 F.3d 50, 53 (1st Cir. 2010).

“This doctrine applies most readily to state-law contract claims purporting to enforce CBAs covered by section 301” Id.; see also, Deranemie v. Community Healthlink, Inc., et. al., 146 F.Supp.3d 407, 411 (D.Mass. 2015) (Hillman, J.) (dismissing state law contract claims as being preempted by Section 301 of the LMRA).

4. In this instance, in Counts V, VI, and VII, the Plaintiff has very clearly asserted claims alleging violations of a contract between an employer and a labor organization – SHARE. Further, it is clear that resolution of such claims requires the interpretation of a collective bargaining agreement. As such, the Court has original jurisdiction over the Plaintiff’s claims.

5. On June 27, 2016, copies of the Complaint and Summons were served on UMass Memorial. Accordingly, this notice of removal is being filed within the time period required by law, as set forth in 28 U.S.C. § 1446(b). As required by 28 U.S.C. § 1446(a), a copy of all process, pleadings and orders served upon UMass Memorial are attached to this Notice as **Exhibit A**, including a true and correct copy of the Complaint and a true and correct copy of the Summons.

WHEREFORE, Defendant requests that the above-captioned action now pending against it in Worcester Superior Court of the Commonwealth of Massachusetts be removed therefrom to this Court.

**UMASS MEMORIAL MEDICAL
CENTER, INC.**

By its attorneys,

/s/ Michael P. Murphy

Robert L. Kilroy, BBO #636853

Michael P. Murphy, BBO #654053

Mirick, O'Connell, DeMallie & Lougee, LLP

1800 West Park Drive, Suite 400

Westborough, MA 01581-3926

Phone: (508) 898-1501

Fax: (508) 898-1502

Dated: July 18, 2016

CERTIFICATE OF SERVICE

I, Michael P. Murphy, hereby certify that this document(s), filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this day. Specifically, I hereby certify that I have this day served a copy of the foregoing document, by mailing a copy, first class mail, postage prepaid to Howard J. Potash, Esq., 390 Main Street, Suite 542, Worcester, MA 01608.

/s/ Michael P. Murphy

Michael P. Murphy

Date: July 18, 2016

EXHIBIT A

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

Superior Court
Department of the Trial Court
of the Commonwealth
Civil Action

No. 16-0889A

CYNTHIA A. BARRY

Plaintiff (s)

SUMMONS

V.

UMASS MEMORIAL MEDICAL CENTER: AND
UMASS MEMORIAL HEALTH CARE,

Defendant (s)

*

To the above-named Defendant: *Umass Memorial Medical Center*

You are hereby summoned and required to serve upon..... Howard J. Potash
....., plaintiff's attorney,
whose address is390 Main Street, Suite 542, Worcester, MA 01608
an answer to the complaint which is herewith served upon you, within 20 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so,
judgement by default will be taken against you for the relief demanded in the complaint.
You are also required to file your answer to the complaint in the SUPERIOR COURT
Department of the Trial Court at WORCESTER either before service upon plaintiff's
attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13 (a), your answer must state as a counter-
claim any claim which you may have against the plaintiff which arises out of the
transaction of occurrence that is the subject matter of the plaintiff's claim or you will
thereafter be barred from making such claim in any other action.

Witness Judith Fabricant Esquire, at Worcester, the 22nd
day of June..... in the year of our Lord two thousand and
Sixteen.....

A True Copy

Attest:

Edward L Moynihan
Constable of Worcester
Disinterested Person Over 18

[Signature]
Clerk

NOTES:

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption.
If a separate summons is used for each defendant, each should be addressed to that particular defendant.

PLEASE CIRCLE TYPE OF ACTION INVOLVED: TORT — MOTOR VEHICLE TORT —
CONTRACT EQUITABLE RELIEF — CH. 93A — MEDICAL MALPRACTICE — OTHER.

*

NOTICE TO DEFENDANT: You need not appear personally in court to answer the complaint, but
if you claim to have a defense, either you or your attorney must serve a copy of your written
answer within 20 days as specified herein AND also file the original in the Clerk's Office, Superior
Court, Room 1008.

CIVIL ACTION COVER SHEET		DOCKET NUMBER	Trial Court of Massachusetts The Superior Court	
PLAINTIFF(S): Cynthia Barry ADDRESS: 126 Stonleigh Road Holden, MA 01520			COUNTY: Worcester	
DEFENDANT(S): UMass Memorial Medical Center and UMass Memorial Healthcare				
ATTORNEY: Howard J. Potash, Esquire ADDRESS: 390 Main Street, Suite 542 Worcester, MA 01608 (508) 754-2624 BBO: 404160			ADDRESS: 118 Belmont Street, Worcester, MA and 55 Lake Avenue; Worcester, MA	
TYPE OF ACTION AND TRACK DESIGNATION (see reverse side)				
CODE NO. A04	TYPE OF ACTION (specify) Contract Dispute	TRACK F	HAS A JURY CLAIM BEEN MADE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
*If "Other" please describe: _____				
STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A				
The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff counsel relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.				
TORT CLAIMS (attach additional sheets as necessary)				
A. Documented medical expenses to date:				
1. Total hospital expenses				\$ _____
2. Total doctor expenses				\$ _____
3. Total chiropractic expenses				\$ _____
4. Total physical therapy expenses				\$ _____
5. Total other expenses (describe below)				\$ _____
Subtotal (A):				\$ _____
B. Documented lost wages and compensation to date				
C. Documented property damages to dated				
D. Reasonably anticipated future medical and hospital expenses				
E. Reasonably anticipated lost wages				
F. Other documented items of damages (describe below)				
G. Briefly describe plaintiff's injury, including the nature and extent of injury:				
				TOTAL (A-F): \$ _____
CONTRACT CLAIMS (attach additional sheets as necessary)				
Provide a detailed description of claims(s): Plaintiff was wrongfully discharged from employment.				
				TOTAL: \$ <u>520,000.00</u>
Signature of Attorney/Pro Se Plaintiff: X				Date: _____
RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court.				
CERTIFICATION PURSUANT TO SJC RULE 1:18				
I hereby certify that I have complied with requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.				
Signature of Attorney of Record: X				Date: _____

CIVIL ACTION COVER SHEET INSTRUCTIONS **SELECT CATEGORY THAT BEST DESCRIBES YOUR CASE**

AC Actions Involving the State/Municipality.*

- AA1 Contract Action Involving Commonwealth, Municipality, MBTA, etc. (A)
 AB1 Tortious Action Involving Commonwealth, Municipality, MBTA, etc. (A)
 AC1 Real Property Action Involving Commonwealth, Municipality, MBTA etc. (A)
 AD1 Equity Action Involving Commonwealth, Municipality, MBTA, etc. (A)
 AE1 Administrative Action Involving Commonwealth, Municipality, MBTA, etc. (A)

CN Contract/Business Cases

- A01 Services, Labor, and Materials (F)
 A02 Goods Sold and Delivered (F)
 A03 Commercial Paper (F)
 A04 Employment Contract (F)
 A06 Insurance Contract (F)
 A08 Sale or Lease of Real Estate (F)
 A12 Construction Dispute (A)
 A14 Interpleader (F)
 BA1 Governance, Conduct, Internal Affairs of Entities (A)
 BA3 Liability of Shareholders, Directors, Officers, Partners, etc. (A)
 BB1 Shareholder Derivative (A)
 BB2 Securities Transactions (A)
 BC1 Mergers, Consolidations, Sales of Assets, Issuance of Debt, Equity, etc. (A)
 BD1 Intellectual Property (A)
 BD2 Proprietary Information or Trade Secrets (A)
 BG1 Financial Institutions/Funds (A)
 BH1 Violation of Antitrust or Trade Regulation Laws (A)
 A99 Other Contract/Business Action - Specify (F)

* Choose this case type if ANY party is the Commonwealth, a municipality, the MBTA, or any other governmental entity UNLESS your case is a case type listed under Administrative Civil Actions (AA).

† Choose this case type if ANY party is an incarcerated party, UNLESS your case is a case type listed under Administrative Civil Actions (AA) or is a Prisoner Habeas Corpus case (E97).

ER Equitable Remedies

- D01 Specific Performance of a Contract (A)
 D02 Reach and Apply (F)
 D03 Injunction (F)
 D04 Reform/ Cancel Instrument (F)
 D05 Equitable Replevin (F)
 D06 Contribution or Indemnification (F)
 D07 Imposition of a Trust (A)
 D08 Minority Shareholder's Suit (A)
 D09 Interference in Contractual Relationship (F)
 D10 Accounting (A)
 D11 Enforcement of Restrictive Covenant (F)
 D12 Dissolution of a Partnership (F)
 D13 Declaratory Judgment, G.L. c.231A (A)
 D14 Dissolution of a Corporation (F)
 D99 Other Equity Action (F)

PA Civil Actions Involving Incarcerated Party.†

- PA1 Contract Action Involving an Incarcerated Party (A)
 PB1 Tortious Action Involving an Incarcerated Party (A)
 PC1 Real Property Action Involving an Incarcerated Party (F)
 PD1 Equity Action Involving an Incarcerated Party (F)
 PE1 Administrative Action involving an Incarcerated Party (F)

TR Torts

- B03 Motor Vehicle Negligence - Personal Injury/Property Damage (F)
 B04 Other Negligence - Personal Injury/Property Damage (F)
 B05 Products Liability (A)
 B06 Malpractice - Medical / Wrongful Death (A)
 B07 Malpractice - Other (A)
 B08 Wrongful Death, G.L. c.229 §2A (A)
 B15 Defamation (A)
 B19 Asbestos (A)
 B20 Personal Injury - Slip & Fall (F)
 B21 Environmental (F)
 B22 Employment Discrimination (F)
 BE1 Fraud, Business Torts, etc. (A)
 B99 Other Tortious Action (F)

RP Real Property

- C01 Land Taking (F)
 C02 Zoning Appeal, G.L. c. 40A (F)
 C03 Dispute Concerning Title (F)
 C04 Foreclosure of a Mortgage (X)
 C05 Condominium Lien & Charges (X)
 C99 Other Real Property Action (F)

MC Miscellaneous Civil Actions

- E18 Foreign Discovery Proceeding (X)
 E97 Prisoner Habeas Corpus (X)
 E22 Lottery Assignment, G.L. c. 10 §28 (X)

AB Abuse/Harassment Prevention

- E15 Abuse Prevention Petition, G.L. c. 209A (X)
 E21 Protection from Harassment, G.L. c. 258E(X)

AA Administrative Civil Actions

- E02 Appeal from Administrative Agency, G.L. c. 30A (X)
 E03 Certiorari Action, G.L. c.249 §4 (X)
 E05 Confirmation of Arbitration Awards (X)
 E06 Mass Antitrust Act, G. L. c. 93 §9 (A)
 E07 Mass Antitrust Act, G. L. c. 93 §8 (X)
 E08 Appointment of a Receiver (X)
 E09 Construction Surety Bond, G.L. c. 149 §§29, 29A (A)
 E10 Summary Process Appeal (X)
 E11 Worker's Compensation (X)
 E16 Auto Surcharge Appeal (X)
 E17 Civil Rights Act, G.L. c.12 §11H (A)
 E24 Appeal from District Court Commitment, G.L. c.123 §9(b) (X)
 E25 Plural Registry (Asbestos cases) (X)
 E94 Forfeiture, G.L. c.285 §56 (X)
 E95 Forfeiture, G.L. c.94C §47 (F)
 E99 Other Administrative Action (X)
 Z01 Medical Malpractice - Tribunal only, G.L. c. 231 §60B (F)
 Z02 Appeal Bond Denial (X)

SO Sex Offender Review

- E12 SDP Commitment, G.L. c. 123A §12 (X)
 E14 SDP Petition, G.L. c. 123A §9(b) (X)

RC Restricted Civil Actions

- E19 Sex Offender Registry, G.L. c.6 §178M (X)
 E27 Minor Seeking Consent, G.L. c.112 §12S (X)

TRANSFER YOUR SELECTION TO THE FACE SHEET

EXAMPLE:

CODE NO.	TYPE OF ACTION (specify)	TRACK	HAS A JURY CLAIM BEEN MADE?
B03	Motor Vehicle Negligence-Personal Injury	<u>F</u>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A

DUTY OF THE PLAINTIFF - The plaintiff shall set forth, on the face of the civil action cover sheet (or attach additional sheets as necessary), a statement specifying the facts on which the plaintiff relies to determine money damages. A copy of such civil action cover sheet, including the statement as to the damages, shall be served with the complaint. A clerk-magistrate shall not accept for filing a complaint, except as otherwise provided by law, unless it is accompanied by such a statement signed by the attorney or pro se party.

DUTY OF THE DEFENDANT - If the defendant believes that the statement of damages filed by the plaintiff is inadequate, the defendant may file with his/her answer a statement specifying the potential damages which may result if the plaintiff prevails.

A CIVIL COVER SHEET MUST BE FILED WITH EACH COMPLAINT.
FAILURE TO COMPLETE THIS COVER SHEET THOROUGHLY AND ACCURATELY
MAY RESULT IN DISMISSAL OF THIS ACTION.

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT
SUPERIOR COURT DEPARTMENT

WORCESTER, ss.

CIVIL ACTION NO.

CYNTHIA A. BARRY,
Plaintiff

v.

UMASS MEMORIAL MEDICAL CENTER)
UMASS MEMORIAL HEALTHCARE,)
Defendant)

COMPLAINT AND
CLAIM FOR JURY TRIAL

I. Parties

1. The plaintiff, Cynthia A. Barry (hereinafter "Barry"), is an individual who resides at 126 Stoneleigh Road, Holden, Worcester County, Massachusetts 01520 and a former respiratory therapist at UMass Memorial until November 17, 2015.

2. The defendant, UMass Memorial Medical Center/UMass Memorial Healthcare (hereafter "UMass") is a medical facility located at 118 Belmont Street, Worcester, Worcester County, Massachusetts and 55 Lake Avenue, North, Worcester, Worcester County, Massachusetts. Mrs. Barry worked the Belmont Street hospital known as the Memorial Campus.

II. Cause of Action

3. This is an action by Barry for wrongful discharge; breach of contract; defamation; slander; intentional infliction of emotional distress; and declaratory relief pursuant to M.G.L. c.231a regarding termination of employment as a respiratory therapist on November 17, 2015.

III. Facts Common To All Counts

4. Barry is a licensed respiratory therapist hired on June 18, 2007 and terminated on November 17, 2015.

5. Barry's job title is Therapist, Respiratory II, Worcester Memorial Campus at the pay rate of \$33.03/ hour at her termination in November last year.

6. Barry had an unblemished record during eight (8) years of employment and carried out her duties in accordance with protocol and with instructions issued by physicians and

in compliance with orders issued by the physicians. Barry is licensed by the Commonwealth of Massachusetts.

7. A review of the records produced by Human Resources at UMass Memorial shows only one verbal warning issued on July 28, 2014. In that report, Barry followed protocol issued in an order by a physician, as she was obligated to do unless said order was changed by a physician. A nurse cannot change a physician's order.

8. Barry was covered by a UMass contract with SHARE and the contract was in force at UMass Memorial at the time of termination/discharge.

9. Disciplinary steps were covered by the contract which includes Step 1 – Counseling; Step 2 – Documented verbal Warning; Step 3 Written Warning; and Step 4 and beyond – Termination. Proper steps were not followed.

10. On the night of October 31, 2015, Barry worked the night shift (usual shift) and retrieved respiratory medication twice for the patient using the correct procedure for accessing drugs. The instructions in the chart were followed issued by the physicians. No problem occurred and Barry gave the patient the drugs as prescribed.

11. Barry was proficient in carrying out her duties as evidenced by the excellent reviews she received.

12. On November 1, 2015, Barry was called and told not to come to work and put on paid investigative leave without explanation.

13. On November 2, 2015, Barry was called to a meeting and accused of breaking an envelope and taking narcotic medications. Barry denied all allegations.

14. Barry responded that she only accessed respiratory medications for which she was authorized to do.

15. Barry was threatened that she would be reported for committing a crime. She denied any wrongdoing several times. Connie St. Amand, the Human Resource Representative, at the meeting, mocked her and told her she was guilty.

16. Barry contacted counsel to represent her interests who contacted Ms. St. Amand and was told "lawyers are not allowed in any meeting or to advise an employee. We don't allow lawyers at UMass." The comments were extremely rude and made in an angry tone to counsel.

17. Counsel learned the General Counsel's office of UMass was involved. UMass was allowed counsel, but Barry was denied representation.

18. Ms. St. Amand wanted a second meeting but would not allow counsel for Barry to attend or be available to advise her. Mrs. Barry did not attend the meeting since counsel was not allowed to advise or attend with her.

19. No evidence was given of wrongdoing to Barry until February 2, 2016 – some three (3) months after being placed on administrative leave. At a meeting, no information was forthcoming. The records produced by UMass – Memorial demonstrate no evidence of wrongdoing against Barry and state others are responsible for the monitoring of narcotic drugs.

20. At all times, Barry had authority to access the respiratory drawer. The drawer contained Albuterol used for patients on a respirator. It is correct that the same drawer contained Opioids. Barry was not responsible for count or any duties for Opioids. The nurses have sole responsibility and not a respiratory therapist.

21. A review of the records produced by UMass – Memorial demonstrates the following:

Debra Miville was the responsible nurse on October 31st to November 1st, 2015. Christina Wilcox was a nurse on duty the same night. Heather was another nurse on duty on March 11th. Heather counted 72 for Oxycodone. Debra and Christina changed the count. Pills were crumbled up at the bottom of the bin. “Debra stated she fixed the count. Deb stated “my error – I did call Lori, nursing supervisor. “We just fixed the count so we could take care of our patients”.

22. The pharmacy was not called by the nurses.

23. “Deb stated that during the night, there were other people on the floor including an equipment employee, UTS (cleaning – a new employee)”. There were three (3) registered nurses and one (1) PCA on the floor.

24. The nurses called Lori McDonald and George McGovern from the pharmacy. They asked Jeff from pharmacy for a report on the Pyxis. Demetri came to report the drawer and Paul K was called from pharmacy.

25. Debra stated that “not reporting a discrepancy was her stupidity. Lynn Starband said “it happens everywhere because the nurses are busy”.

26. Based on these facts, Cynthia Barry was blamed who had no input or responsibility for Oxycodone in the narcotic drawer. Deb stated” I just didn’t do it, it was busy. We had issues with Sorian and Mac down time.”.

27. The so-called “link” to Cynthia Barry is totally false and not advanced in good faith by UMass – Memorial.

28. UMass Memorial blames other discrepancies on Cynthia Barry on November 1, 2015 and other dates. The allegations are totally baseless from UMass own records (See Exhibit B with Affidavit of Counsel attached hereto and incorporated herein by reference).

29. Will, the SHARE representative stated his opinion was that Cynthia Barry "took the meds". He had no information – just his "baseless" opinion.

30. The nurses were threatened with termination by UMass for not following correct narcotic procedure. A nurse lost her job was not counting the narcotics – refer to Exhibit B.

31. Connie St. Amand threatened Barry with losing her job.

32. Nurses were told "you should have wasted cracked pills since you can't give them to a patient." There is doubt any pills were even missing.

33. Christina reported discrepancies not resolved by the nurses "we weren't sure if there were 68 or 69 pills. The nurses were looking for pills probably not missing." We didn't know if we should count the pills in bubble pack."

34. UMass has created chaos with the nurses since they are responsible with so-called missing narcotics.

35. Discrepancies in narcotic drugs are all over the place at UMass.

36. Cynthia Barry has no responsibility. UMass made Mrs. Barry a "scapegoat" to protect the nurses who violated the rules.

37. UMass states "[w]e have concluded our investigation of multiple pyxis discrepancies. We conclude that a common individual (Cynthia Barry), a respiratory therapist was involved in four (4) different discrepancies. The records produced by UMass state otherwise by conclusive evidence. The accusation is totally false and not advanced in good faith. UMass picked on Cynthia Barry to protect the nurses since they had to find someone to blame to satisfy the discrepancies at UMass under pressure from the Department of Public Health for Drug Discrepancy.

38. UMass has refused to allow collection of unemployment compensation but did give Barry a favorable job reference.

39. UMass Memorial has a serious problem with drug inventory for which Barry has no responsibility. Her only duty is to retrieve correct respiratory medications for patients on respirators as ordered by the attending physicians. She has always carried out those duties correctly and professionally without exception.

40. On November 18, 2015, Barry received a letter (see Exhibit "A" attached hereto and incorporated herein by reference) from Luanne Hills BA, RRT and Lisa Gillum, MSN, RN, terminating her employment. The letter was written by Connie St. Amand.

41. No evidence of theft of drugs by Barry have been produced; no response to letters have been received, except on January 6, 2016, some three (3) months latter records produced were personnel records and additional records on February 2, 2016.

42. It appears there is no evidence of theft by Barry exists. No witness statements or other records have been produced to support said allegations. Many people have access to the drug room.

43. UMass Memorial has had poor drug inventory policies for years, which is the responsibility of Dr. Eric Dixon, CEO and other physicians and pharmacists at UMass, not Barry.

44. The action against Barry is arbitrary; capricious and plainly untrue and not advanced in good faith.

45. Ms. Connie St. Amand is not licensed to administer any drug policy at UMass or elsewhere. She is not competent in drug policy.

46. Luanne Hills did not provide any evidence of wrongdoing.

48. There is no proof that Barry did anything but her lawful duty as a Respiratory Therapist with an unblemished record.

49. It appears the allegations against Barry are a fabrication and outright lie by Ms. Connie St. Amand.

50. As a result of the termination of November 17, 2015, Barry has lost income, loss of her good name and reputation at UMass and elsewhere, been a victim of defamation and libel and suffered extreme emotional pain as a result of the action of UMass Memorial and certain of its employees.

51. Dr. Eric Dixon, CEO, has declined, to date, to intervene.

52. Barry has suffered and continues to suffer emotional and physical pain and total humiliation.

53. UMass Memorial, as required by law, has not reported any violation of DEA, state or local police or licensing authorities as they are so required to do.

54. No report was done since absolutely no evidence of wrongdoing exists against Barry.

55. The whole incident of drug theft is a total fabrication.

56. UMass Memorial has denied Barry unemployment compensation in furtherance of their fabrication of Gillum's and Hills' and St. Amand and others against Barry.

57. UMass Memorial instructed Barry on removal of respiratory drugs which she followed completely in every aspect on each and every day of her employment.

58. Although the narcotics drawer opened at the same time as the respiratory drawer; Barry never interfaced with the narcotics drawer. Again, Barry had no responsibility for monitoring the narcotics drawer in any aspect whatsoever and was so instructed by her supervisors in respiratory therapy on many occasions.

59. The inclusion of the respiratory drawer with the narcotics drawer violates public policy and places the public in danger as narcotic medications require more supervision by registered nurses who must count and certify the counts on each shift change.

60. UMass Memorial has accused Barry of removing narcotic drugs without substantial or any forensic evidence and merely all eyes on four occasions over a week range of time that there were discrepancies in the Pyxis used by her in accordance with the instruction of her employer.

61. At all times during the alleged occasions, Barry operated the Pyxis machines correctly, secured the proper doses of respiratory drugs ordered by the physician and administered the correct dosage to the patient successfully and without incident. On one occasions, Barry reported the discrepancy and followed proper procedure.

62. Throughout her eight (8) year employment at UMass Memorial, only on one occasion was she criticized for not changing a dose requested by a nurse. Only a physician can change a dosage of medication and Barry followed the correct protocol.

Count I – Wrongful Discharge

63. Plaintiff, Cynthia A. Barry, re-asserts and re-avers paragraphs 1 through 62 of the within Complaint as if fully set forth herein.

64. Luanne Hills, Lisa Gillum and St. Amand, acting on behalf of UMass Memorial wrongfully discharged Cynthia A. Barry on November 17, 2015 without just cause and falsely accused Barry of stealing narcotics on the night of October 31, 2015.

65. As a result, Barry has suffered damages of body and mind and loss of income and benefits as a Respiratory Therapist at UMass Memorial, which damages continue and Barry has been humiliated by her co-workers as a result of the rumors of her termination.

66. Barry has suffered permanent damage to her career for the next fifteen (15) years which can never be repaired.

67. The conduct of UMass Memorial is egregious in every way possible and cruel conduct by an institution held in high esteem in the Worcester and Massachusetts business community.

WHEREFORE, the Plaintiff, Cynthia A. Barry, claims damages in an amount found appropriate by this Honorable Court/Finder of Fact together with costs, interests and reasonable attorney's fees allowed by law.

Count II -- Wrongful Discharge

68. Plaintiff, Cynthia A. Barry, re-asserts and re-avers paragraphs 1 through 67 of the within Complaint as if fully set forth herein.

69. UMass Memorial has defamed Barry by accusing her of theft of narcotics all totally untrue.

70. As a result, Barry has been damaged she was held up to ridicule; humiliation both personally and professionally; and unable to find hospital employment as a respiratory therapist. Said damages can never be undone. Her professional career has been ruined.

71. As a proximate result, Barry has been permanently damaged.

WHEREFORE, the Plaintiff, Cynthia A. Barry, claims damages in an amount found appropriate by this Honorable Court/Finder of Fact together with costs, interests and reasonable attorney's fees allowed by law.

Count III -- Libel

72. Plaintiff, Cynthia A. Barry, re-asserts and re-avers paragraphs 1 through 71 of the within Complaint as if fully set forth herein.

73. UMass Memorial has by implication created written records causing damages of libel against Barry by accusing her of theft of narcotics without evidence constituting a complete fabrication.

74. As a result, Barry has been damaged.

WHEREFORE, the Plaintiff, Cynthia A. Barry, claims damages in an amount found appropriate by this Honorable Court/Finder of Fact together with costs, interests and reasonable attorney's fees allowed by law.

Count IV -- Intentional Infliction of Emotional Distress

75. Plaintiff, Cynthia A. Barry, re-asserts and re-avers paragraphs 1 through 74 of the within Complaint as if fully set forth herein.

76. As of proximate result of the accusations of the theft of narcotic drugs, and termination of employment, Barry has suffered severe emotional distress.

77. The action of employees of UMass Memorial are unwarranted and vicious and nature and intended to harm Barry. The acts are utterly devoid of legitimate business or professional behavior.

WHEREFORE, the Plaintiff, Cynthia A. Barry, claims damages in an amount found appropriate by this Honorable Court/Finder of Fact together with costs, interests and reasonable attorney's fees allowed by law.

Count V – Declaratory Relief – M.G.L. c.231A

78. Plaintiff, Cynthia A. Barry, re-asserts and re-avers paragraphs 1 through 77 of the within Complaint as if fully set forth herein.

79. Barry requests the Court to declare that her employment termination by UMass-Memorial was arbitrary, capricious, unreasonable and not advanced in good faith.

80. Barry requests the Court to declare her termination of employment in violation of the SHARE (UMass contract).

81. Barry requests the Court to declare no credible evidence has been produced of any theft of narcotics by Barry and that she accessed respiratory drugs in accordance with instructions of physicians and administered correctly to patients.

WHEREFORE, the Plaintiff, Cynthia A. Barry, claims damages in an amount found appropriate by this Honorable Court/Finder of Fact together with costs, interests and reasonable attorney's fees allowed by law.

Count VI – Breach of Contract - Employees

82. Plaintiff, Cynthia A. Barry, re-asserts and re-avers paragraphs 1 through 81 of the within Complaint as if fully set forth herein.

83. UMass breached the contract of employment with Barry with false accusations of drug theft knowing full well that said accusations were false and untrue.

84. As a result, Barry has been damaged.

WHEREFORE, the Plaintiff, Cynthia A. Barry, claims damages in an amount found appropriate by this Honorable Court/Finder of Fact together with costs, interests and reasonable attorney's fees allowed by law.

Count VII – Breach of Contract – UMass Memorial

85. Plaintiff, Cynthia A. Barry, re-asserts and re-avers paragraphs 1 through 84 of the within Complaint as if fully set forth herein.

86. Barry asserts she is a member of the union at UMass Memorial and covered by the union contract requiring several steps before termination and the right to hearing and due process including the right to counsel.

87. Barry has standing under the contract.

88. UMass Memorial violated the union contract by terminating her without cause, under false pretenses and without a full hearing with due process and the right to counsel.

WHEREFORE, the Plaintiff, Cynthia A. Barry, claims damages in an amount found appropriate by this Honorable Court/Finder of Fact together with costs, interests and reasonable attorney's fees allowed by law.

RESPECTFULLY SUBMITTED,
Plaintiff, Cynthia A. Barry,
By her attorney,

Howard J. Potash, Esquire
390 Main Street, Suite 542
Worcester, MA 01608
(508) 754-2624
BBO# 404160

Dated: May 31, 2016



Medical Center
Department of Human Resources

67 Millbrook Street
North Building, 2nd Floor
Worcester, MA 01606
Tel: 508-334-5100
Fax: 508-793-5691
www.umassmemorial.org

VIA OVERNIGHT MAIL
AND U.S. MAIL

EXHIBIT "A"

November 17, 2015

Cynthia Barry
126 Stoneleigh Rd.
Holden, MA 01520

RE: Notification of Termination of Employment

Dear Cynthia:

Following the completion of the investigation that we discussed at our meeting on November 2, 2015, a decision has been reached that your employment with UMass Memorial Medical Center/UMass Memorial Health Care is terminated effective as of the date of this letter.

Please return all hospital property, including hospital identification card, KRONOS badge, etc to Human Resources, 67 Millbrook St., Worcester, MA 01605. Please call Larry Owens at 508-713-7853 to arrange for a time to collect your belongings from your locker.

In addition to your final paychecks (must be cashed), enclosed for your review is the booklet, "How to File for Unemployment Insurance Benefits" and the "Benefit Termination Fact Sheet". If you have any questions or concerns, please contact Connie St. Amand, Human Resources Business Partner at (508) 334-5070.

Sincerely,

Luanne Hills, BS, RRT (CSA)

Luanne Hills, BS, RRT
Manager, Respiratory Department

Lisa M. Gillum MSN RN

Lisa Gillum, MSN, RN
ACNO, Memorial Campus

cc: Personnel File

Enclosures

Exhibit "B"

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT
SUPERIOR COURT DEPARTMENT

WORCESTER, ss.

CIVIL ACTION NO.

CYNTHIA A. BARRY,
Plaintiff

v.

UMASS MEMORIAL MEDICAL CENTER)
UMASS MEMORIAL HEALTHCARE,)
Defendant)

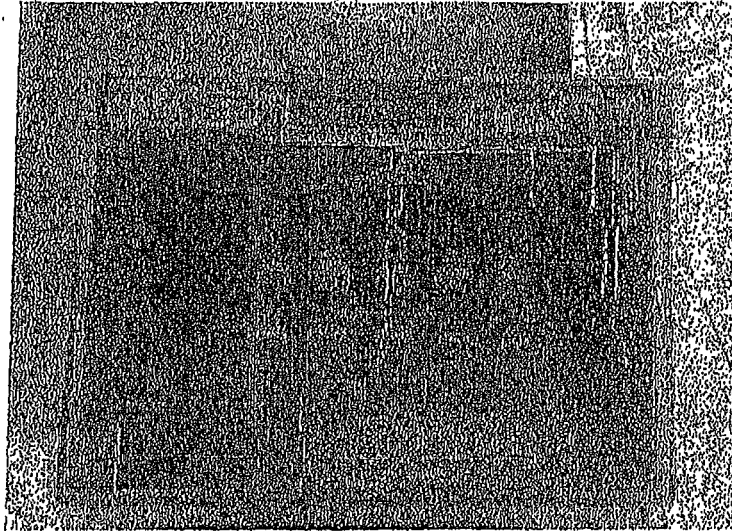
AFFIDAVIT OF HOWARD J. POTASH

NOW COMES, Howard J. Potash, under oath and deposes and states as follows:

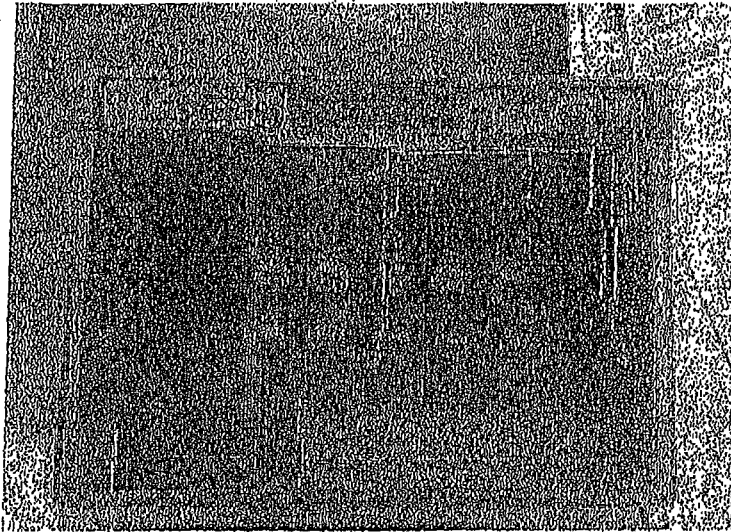
1. My name is Howard J. Potash and I am an attorney licensed to practice law in the Commonwealth of Massachusetts, which a principal place of business at 390 Main Street, Suite 542, Worcester, Massachusetts 01608.
2. I am the attorney for the Plaintiff, Cynthia A. Barry, who was terminated from her employment as a respiratory therapist by the Defendants.
3. I received the attached documents, which purport to be the investigative records about missing narcotics on or about October 31, 2015.
4. I received the records from Michael P. Murphy, an attorney for Mirick O'Connell, who represents UMass Medical Center and UMass Memorial.
5. I believe the records to be authentic.

Signed under the pains and penalties of perjury this 11th day of February, 2016.


Howard J. Potash, Esquire



- 11/1/2015 report to DPH and DEA involving a loss of 6 tablets of oxycodone 5 mg on South 3. 2 discrepancies of #3 were created in pyxis. After the 2nd discrepancy was created, it was noted that this cuble pocket too was tampered with and had the same opening in the top of the cuble pocket.
 - We reviewed all staff accessing drawers—between 10/23 and 10/28 on South 6 when discrepancy found and compared to the staff accessing the South 3 drawer on 10/31 and 11/1. CB was the only person that accessed both drawers. Neither nurse on South 3 from 10/31 to 11/1 had been on South 6 during that time range.
 - In all cases, albuterol was in the same drawer as the opioid. We reviewed the nurses' medication history pre discrepancy. No issues identified with med pulls and administrations with 1 exception that had been addressed previously. PO opioids have been removed from the drawers in which albuterol and ipratropium cubles are stored.
- 4 occurrences have been linked to CB. CB has been terminated. /



- 11/1/2015 report to DPH and DEA involving a loss of 6 tablets of oxycodone 5 mg on South 3. 2 discrepancies of #3 were created in pyxis. After the 2nd discrepancy was created, it was noted that this cubicle pocket too was tampered with and had the same opening in the top of the cubicle pocket.
 - We reviewed all staff accessing drawers—between 10/23 and 10/28 on South 6 when discrepancy found and compared to the staff accessing the South 3 drawer on 10/31 and 11/1. CB was the only person that accessed both drawers. Neither nurse on South 3 from 10/31 to 11/1 had been on South 6 during that time range.
 - In all cases, albuterol was in the same drawer as the oploid. We reviewed the nurses medication history pre discrepancy. No issues identified with med pulls and administrations with 1 exception that had been addressed previously. PO opioids have been removed from the drawers in which albuterol and ipratropium cubies are stored.
- 4 occurrences have been linked to CB. CB has been terminated. /

Debra Miville -

We met with Ms. Miville on November 4, 2015 at 7 AM.

Present at this meeting: Lisa Gillum, Associate Chief Nurse Officer, Brian Brisbois, Nurse Manager (S3) Michele Montalvo, Business Partner, Lynne Starbard, MNA Union Rep. Connie St. Amand, Business Partner

- Debra stated that she was the resource nurse that night, and was running late, so she did not get patient care report.
- Christina Wilcox called her at about 12 AM. Christina needed to get Oxy for patient, she did count and it was wrong so she called Deb. Heather the 3-11 nurse was in the drawer previously, the count was correct. Her count was 72, but when they counted it was 69. One sleeve was crumpled and one pill slot was opened and pill was crumpled up at the bottom of the bin. They first counted 68, but the machine did not accept it so they counted the pill that was tampered with, and added one to make it 69 and it was accepted. Three pills were missing because previous count was 72.
- Deb stated that she and Christina fixed the count. Deb stated, "my error, I did not call Lori (supervisor)". She stated, "We just fixed the count so we could continue taking care of our patients".
- Lisa stated this was more than just a discrepancy. She had an open crumpled pack as well, so there was tampering.
- We asked her what the process was and she stated that she should have called the pharmacy and the nursing supervisor. Deb stated, "I just didn't do it, it was busy. We had issues with Sorlan and Mac down time".
- Lisa stated that there is never a reason to not call the supervisor. "We fixed the numbers. Deb stated that during the night there were other people on the floor including, an equipment employee, UHS new employee, also respiratory was on the floor."
- Lisa asked what happened an hour later. Deb stated that Christina found the next discrepancy at 1:36 (2:36 due to time change). There were 3 RN's (one was a float) also 1 PCA on the floor.
- This time it was down again to 63 pills instead of 66. Three more were now missing and the mangled sleeve was gone. They called Lori McDonald and George McGovern from the Pharmacy. They also ask Jeff from Pharmacy for a report on that pyxis. He had to get it from the pharmacy. Demetri came with report for that drawer. They left this discrepancy unsolved. Lori looked at it with the RN's and they decided to wait for Paul K. to come up.
- Debra stated that not reporting it was her stupidity. Lynn S. stated "It happens everywhere, because RNs are so busy. It's common practice, but I'm not saying its right."

Cynthia Barry -

We met with Ms. Barry on November 2, 2015 at 11:30 AM.

Present at this meeting: Lisa Gillum, Associate Chief Nurse Officer, Larry Owens, Respiratory Therapy Supervisor, Will Erickson, SHARE Union Representative, and Connie St. Amand, Business Partner

- Lisa explained that there was a med discrepancy on S3, on the evening/night of Saturday, 10/31 in to Sunday, 11/1 and that Cynthia had been scheduled to work on that floor. She stated that based on the report, Cynthia had gone in the drawer at times that coincided with the times the meds went missing and asked if she could provide any information.
- Cynthia stated she was covering that floor on that night, but said she is "at a loss" and "can't imagine" this happening.
- Lisa also explained that we have notified the DPH and DEA and that we are looking at all activity where meds were missing. Cynthia's response was "sure - ya - Oh".
- Lisa explained the sequence of times that the count was correct, where Cindy accessed the pyxis, and that the next time count was incorrect.
- Lisa explained the times that this happened and that it happened twice. Cindy's response was "That's not good". I don't know how to respond to that, I'm not a thief. I know missing meds need to be investigated, but I don't know how to respond to you."
- Lisa then talked about the incidents that had occurred on S-6, where there were other discrepancies, a total of 3 in the past 2 months. She stated that we looked at all access to see commonality of people who were in at those times. She stated that she, Cynthia, was the only employee who was present and the one and only constant between these incidents.
- Cynthia stated, our meds are not in the same places in all pyxis machines. Lisa stated that we checked to see if anyone floated to South 6 and the answer was they had not. Cynthia responded, "I have no information to offer on that". Lisa asked if she noticed anything and told her there was also some tampering with the drawer. Cynthia could not offer any information.
- At that point Lisa, Larry and I left the room and Will, the SHARE representative remained with Cynthia. After about 10 minutes Will came out and sort of nodded his head that he believed she had taken the meds. She did not offer any more information to him however, this was just his opinion.
- We went back into the room and again she was told that all the evidence pointed to her because she is the common factor in all of the past and current incidents.
- She was told the initial report was filed with DPH and that the pyxis information was sent to them as well. Also told that she will most likely be interviewed by them. She

- responded, "Sure, a-ha, ok I see, right I understand.... Lisa told her that she is not allowed to work. Cynthia responded, "I'm not going to admit to something I didn't do".
- Again she was reminded that if she has any information about this or the past incidents to please let us know.
- Lisa explained that the April incident in the E.D. has also gone to DPH. Cynthia stated, "that's fine". If I had a problem, I'd get help." I don't mean to be glib. I don't know what else to offer." We explained that this is very serious. Cynthia stated, "Someone has a problem, it's a felony to steal drugs".
- We informed her that Valerie Wedge was here from EAP, due to the seriousness of the incident and that she can speak to her. Lisa stated that she was concerned about Cynthia's well being, and Cynthia responded, "I understand that".
- Cynthia then stated, "How do we know the nurses did not do it?" Lisa's response was that they reported it right away. She also explained that Cynthia went into pyxis and then the next time the nurse went in, count was wrong. It was 2 nurses. Also these nurses were not on S6 or the ED like she was.
- Larry Owens once again repeated the timeline of 10/31 into 11/1. We explained again that these nurses were not on S6 and that it was the same drawer in which the albuterol was kept in.
- Lisa then asked that when Larry called her to tell her she was on paid leave and not to come in, did she have any thought as to what this was about? Cynthia responded that she knew there was an altercation on Saturday morning in the Respiratory Department, so she thought it was about that. (however later she made the following statement "I didn't sleep last night because I was so concerned about this". (this did not make sense because if she thought it was about a fight then why was she worried, because she was not involved in any altercation)
- Then she said, You said the drawer was tampered with, that's concerning.
- She later made the following statements: "I didn't sleep last night concerned about this"
- "If I have to quit my job, I will". "I'm not looking at you as the bad guys, you're doing your job".
- "I'll go home and think about this to see if there is anything else I can think of".

The meeting ended and Cynthia did not want to meet with Valerie Wedge from EAP.

- Lisa asked Lynn, what she would do if she found a mangled pack and empty broken blister pack with broken pieces of tab at the bottom? Lynn stated, "I'd call charge nurse".
- Debra stated that she thought it got caught in the drawer and Lynn responded, "I know, I was just going to say that."
- Lisa asked, when you are in charge, what is your role, beginning to end?
- Debra responded, We check the pyxis, but I did not do that that night. I was running late so I didn't do that this time.
- Paul and Lori came up and saw the tab was missing and there was a piece of tape there. Deb had not noticed the tape before. There were also small particles still when Paul took box.
- Lisa stated that meds are in different drawers because of the size needed to house them. Tab is designed for tamper evident not tamper proof. Nurses don't necessarily check tabs.
- Lisa asked Deb if she was aware of the issues on S 6. Deb responded no, not until Sunday AM, she had no idea, none what so ever, "I must be out of the loop".
- Deb stated that she called Heather the last nurse in there but never heard back. She also emailed Brian then she was off on Sunday and Monday and returned to work on Tuesday at 7 PM. That is when she learned about the nurse on S6 who lost her job. Lynn mentioned the MNA is making pins for her??
- Connie asked Deb if she has learned something from this and she stated, " Oh my God yes".
- Lisa told Deb that her license and policy talk about how to report this properly etc. She stated that she should not have corrected the count. It not about count being correct its about missing pills. She and the other nurses could still have given meds to patients even if unresolved. Leaving the count unresolved would have been the way to do it correctly. By fixing the count you are saying this issue was resolved, however it was not. You should have wasted crushed pill since you can't give to patient. When you resolve a discrepancy you are saying you know what happened. Should have left discrepancy in tact and unresolved.

We have concluded our investigation of multiple pyxis discrepancies. We conclude that a common individual (Cynthia Barry), a respiratory therapist was involved in 4 different discrepancies.

- 4/23/2015 report to DPH and DEA involving a loss of 10 tablets of HYDROcodone/APAP. A pyxis discrepancy occurred in the ERNS pyxis location when a failed drawer occurred. Discrepancy involved a respiratory therapist names Cynthia Barry (CB). I received an attestation from CB stating that she was not aware of any discrepancy created.
- 9/10/2015 report to DPH and DEA involving a loss of 8 tablets of oxycodone/APAP on South 6. 2 discrepancies were created and CB accessed the drawers in between when the two discrepancies were created.
 - 8/29/2015 16:38 Pyxis count 60. 2 tablets removed to bring count to 58
 - CB access drawer on 8/30/2015 at 01:53:45, 02:29:54, 02:29:54, 02:30:00 (drawer left open), 02:30:09 (drawer closed), 02:32:26, 02:32:32 (drawer left open), 02:32:48 (drawer closed), 02:35:11, 02:35:16 (drawer left open), 02:35:31 (drawer closed), 02:36:27, 02:36:50, 02:37:04, 02:45:29, 02:45:29, 04:50:42,
 - 8/30/2015 05:21: Discrepancy was found expected count 58, found 53 8/30/2015 16:27 count correct at 52
 - CB accessed drawer on 8/31/2015 01:00:27, 01:03:56 (drawer left open), 01:06:57 (drawer closed), 04:59:19
 - Discrepancy of 3 tablets expected 52 found 49 was found on 9/4/2015 (missing 2 tabs and one empty blister packet to make 3 tablets)
 - CB was the only person that had accessed this drawer in common with the other drawer access reports.
- 10/29/2015 report to DPH and DEA involving a loss of 8 tablets oxycodone/APAP on South 6. Weekly inventory on 10/21/2015 was correct at 61 on 07:37. One tablet was removed on 10/21/2015 to bring count to 60. On 10/23/2015 count was 60 prior to removal of 2 tablets at 12:27 count should have been 58. On 10/28/2015 (next weekly inventory, count was found to be 50, instead of 58.
 - On 10/31/2015, a nurse (Cindy) called to report that she identified a finger size hole in one of the top corners of the cubic pocket. There was also powder residue in bottle of cubic that could potentially be why we had an empty blister pack.
 - Tablets can be easily removed from this opening with a clamp.

Christine Wilcox -

We met with Ms. Wilcox on November 9, 2015 at 7 AM

Present at this meeting: Lisa Gillum, Associate Chief Nurse Officer, Michele Montalvo, Business Partner, Lynne Starbard, MNA Union Rep. Connie St. Amand, Business Partner

- Christine stated there was a discrepancy on S3. She stated she floated to S3 and was checking her patients. Patient in 301 needed pain meds.(Oxy) She went to pyxis .. one bubble pack was ripped open and pill was missing. The count was off as well. There should have been 72, but counted 68 or 69 (counting the crushed pill). She called the charge nurse Deb Milville to count with her. They counted decided to include the pill missing. She called pharmacy (George) to report this. He said someone would be up to look into it.
- About 1 ½ - 2 hours later, her patient in rm 303 need 5 mg.(prisoner). She went to pyxis the empty bubble pack was gone she called the same nurse and they thought someone must have thrown it away. The count was off by 3 pills again. They asked the other nurse on the floor if she saw anything and then they called Lori, Supervisor and George in Pharmacy who said the day Pharmacist would come up. At about 5 or 6 AM she told Paul Khebolan, the day pharmacist, about the ripped bubble pack. He noticed that the tape on cube in upper right corner was gone. He asked her if she had noticed that and she said no. There was a hole in the cube.
- Lisa asked that at midnight when you knew you had a discrepancy and you resolved the discrepancy, did you let anyone know? She stated she called Heather in the morning (didn't want to wake her). She asked if there was an empty bubble pack and if she counted at that time? Heather said there were 72 pills and there was no bubble pack ripped when she left.
- Lisa stated, when there is a discrepancy, we should not resolve it. Christina said, I didn't resolve it. Lisa, you did resolve it. Christina stated that there was still a red box in corner. Lisa said, you didn't notice tape? Christina, No I didn't notice tape was broken.
- Three pills were missing first time, count was fixed, and then 3 more missing and bubble pack gone. The count was off by total of 6 pills. We weren't sure if there was 68 or 69, because we didn't know if she should count the pill in bubble pack.
- Lisa asked, was bubble pack attached? Christina answered yes, I was surprised. I have never seen how bubble pack was ripped like that looked like it was with teeth. They were looking for the pill but only found pieces of the pill in the drawer.

South 3

Drawer access history 10/31/15- 11/1/15

HD accessed 2051 count correct

CB accessed at 2229 for albuterol

11/1/15 0002 CW accessed discovered 2 missing oxy IR 5 mg pills and an empty blister pack-(3 total) count corrected

11/1/15 CB accessed at 0059 for albuterol

11/1/15 0136 CW accessed and discovered empty blister pack had been removed and an additional 3 oxy IR 5 mg pills missing.

Discrepancy noted on South 6

10/28/15- discovery date last verified count 10/23/15 at 1227

We reviewed all staff accessing drawer - between 10/23 and 10/28 when discrepancy found and compared to the staff accessing S3 drawer on 10/31 and 11/1. CB was the only person that accessed both drawers. Neither nurse on S3 10/31- 11/1 had been on S6 during that time range.

Discovery date 8/30/15 0521 last verified count 8/29/15 0505

CB was the only person that had accessed this drawer in common with the other drawer access reports.

In all cases, albuterol was in the same drawer as the opioid. We reviewed the nurses medication history pre discrepancy. No issues identified with med pulls and administrations with 1 exception that had been addressed previously.

Reports provided by Pharmacy attached.

April 24, 2015

Angel Amaral, Pharm D.
Manager, Pharmacy Operations
UMass Memorial Medical Center
Memorial Campus

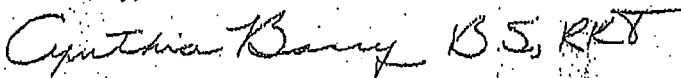
This is in response to your request for a statement of what happened when a discrepancy was created in the emergency room pyxis on April 17.

I remember that Friday night was exceptionally busy in the emergency room. At some point, mid shift, I entered the pyxis for ordered medication of albuterol and ipratropium bromide for a patient. The carousel mechanism jammed leaving another pocket exposed. The pyxis stated that the drawer was inoperable and needed to be recovered. I asked if anyone would help to recover the drawer, and a nurse signed in as witness.

At that point, I closed the drawer, as instructed, and the message indicated that the drawer was now operational. I removed my medications and was not aware of any discrepancy created.

I hope this statement clarifies any discrepancy that was generated.

Sincerely,



Cynthia Barry, BS, RRT.

NAME	AGE	SEX	DATE OF BIRTH	DATE OF DEATH	CAUSE OF DEATH	PLACE OF BIRTH	PLACE OF DEATH	EDUCATION	OCCUPATION	RELIGION	ETHNICITY	STATUS
John Doe	45	M	1945-01-15	1990-03-20	Heart Disease	New York, USA	New York, USA	High School	Teacher	Catholic	White	Married
Jane Smith	32	F	1958-07-22	1995-11-10	Cancer	California, USA	California, USA	College	Nurse	Protestant	White	Single
Robert Johnson	68	M	1921-05-08	1989-09-15	Stroke	Illinois, USA	Illinois, USA	High School	Farmer	Baptist	White	Married
Mary White	55	F	1934-12-03	1988-06-25	Heart Disease	Texas, USA	Texas, USA	College	Engineer	Jewish	White	Married
James Brown	72	M	1917-03-10	1985-08-01	Pneumonia	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Elizabeth Taylor	88	F	1901-02-28	1992-04-12	Alzheimer's	England, UK	England, UK	University	Actress	Anglican	White	Married
Michael Scott	41	M	1953-09-18	1994-02-05	Heart Disease	Florida, USA	Florida, USA	College	Doctor	Catholic	White	Married
Sarah Lee	38	F	1961-04-05	1999-07-18	Cancer	Washington, USA	Washington, USA	High School	Secretary	Buddhist	White	Single
David Wilson	59	M	1940-11-20	1998-01-03	Heart Disease	Michigan, USA	Michigan, USA	College	Lawyer	Protestant	White	Married
Linda Davis	63	F	1936-08-12	1999-05-28	Stroke	Ohio, USA	Ohio, USA	High School	Homemaker	Catholic	White	Married
Charles Miller	77	M	1922-06-01	1999-12-15	Heart Disease	Arizona, USA	Arizona, USA	High School	Retired	Methodist	White	Married
Patricia Garcia	51	F	1948-03-25	1999-09-08	Cancer	California, USA	California, USA	College	Teacher	Catholic	Hispanic	Married
Thomas Anderson	65	M	1934-10-10	1999-04-22	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Barbara King	70	F	1929-07-14	1999-08-05	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
Richard Hall	82	M	1917-02-03	1999-11-18	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Michelle Carter	48	F	1951-05-20	1999-03-10	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Gregory Evans	56	M	1943-09-07	1999-06-20	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Angela Roberts	61	F	1938-12-15	1999-07-01	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
Benjamin Clark	74	M	1925-04-28	1999-10-12	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Christine Lewis	53	F	1946-01-12	1999-05-05	Cancer	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Harold Walker	85	M	1914-08-05	1999-12-28	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Deborah Young	46	F	1953-03-18	1999-09-15	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Frank Adams	69	M	1930-11-02	1999-04-18	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Kimberly Baker	58	F	1941-06-25	1999-08-10	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
William Nelson	80	M	1919-02-10	1999-11-25	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Heather Hill	49	F	1950-07-08	1999-03-22	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Robert King	62	M	1937-04-15	1999-06-05	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Elizabeth Green	71	F	1928-09-22	1999-10-15	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
Charles White	83	M	1916-05-01	1999-12-08	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Patricia Black	54	F	1945-12-18	1999-07-25	Cancer	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Thomas Gray	67	M	1932-08-05	1999-05-12	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Margaret Hall	76	F	1923-03-20	1999-11-01	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
James Taylor	89	M	1910-01-05	1999-10-20	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Susan Brown	50	F	1949-06-10	1999-08-25	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Michael Green	64	M	1935-02-18	1999-05-30	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Laura White	73	F	1926-04-22	1999-11-05	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
Christopher Lee	81	M	1918-07-01	1999-12-10	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Angela King	47	F	1952-09-12	1999-06-18	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Benjamin Hall	60	M	1939-03-25	1999-04-02	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Christine King	52	F	1947-05-08	1999-07-12	Stroke	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Harold King	84	M	1915-08-15	1999-12-01	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Deborah King	44	F	1955-11-20	1999-09-28	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Frank King	66	M	1933-06-05	1999-05-15	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Kimberly King	57	F	1942-01-10	1999-08-20	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
William King	79	M	1920-04-18	1999-11-22	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Heather King	48	F	1951-07-25	1999-03-15	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Robert King	61	M	1938-09-02	1999-06-10	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Elizabeth King	72	F	1927-11-15	1999-10-25	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
Charles King	86	M	1913-02-28	1999-12-18	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Patricia King	56	F	1943-08-12	1999-07-05	Cancer	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Thomas King	69	M	1930-10-20	1999-04-28	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Margaret King	78	F	1921-03-05	1999-11-12	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
James King	90	M	1909-05-18	1999-10-05	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Susan King	49	F	1950-12-01	1999-08-15	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Michael King	63	M	1936-04-10	1999-05-22	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Laura King	74	F	1925-06-25	1999-11-08	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
Christopher King	82	M	1917-09-08	1999-12-22	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Angela King	46	F	1953-11-15	1999-09-10	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Benjamin King	59	M	1940-02-28	1999-01-18	Heart Disease	Michigan, USA	Michigan, USA	College	Lawyer	Protestant	White	Married
Christine King	51	F	1948-07-12	1999-09-25	Stroke	Ohio, USA	Ohio, USA	High School	Homemaker	Catholic	White	Married
Harold King	75	M	1924-01-20	1999-12-05	Heart Disease	Arizona, USA	Arizona, USA	High School	Retired	Methodist	White	Married
Deborah King	45	F	1954-03-05	1999-08-28	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Frank King	67	M	1932-05-18	1999-05-10	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Kimberly King	58	F	1941-08-22	1999-08-18	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
William King	80	M	1919-10-05	1999-11-28	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Heather King	49	F	1950-12-18	1999-03-25	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Robert King	62	M	1937-04-25	1999-06-08	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Elizabeth King	71	F	1928-09-02	1999-10-18	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
Charles King	83	M	1916-06-10	1999-12-02	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Patricia King	54	F	1945-01-28	1999-07-12	Cancer	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Thomas King	67	M	1932-07-15	1999-05-25	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Margaret King	76	F	1923-02-22	1999-11-05	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
James King	89	M	1910-04-08	1999-10-15	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Susan King	50	F	1949-06-20	1999-08-28	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Michael King	64	M	1935-03-12	1999-05-30	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Laura King	73	F	1926-05-25	1999-11-08	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
Christopher King	81	M	1918-08-01	1999-12-10	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Angela King	47	F	1952-10-18	1999-06-18	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Benjamin King	60	M	1939-03-28	1999-04-02	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Christine King	52	F	1947-05-10	1999-07-12	Stroke	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Harold King	84	M	1915-08-25	1999-12-01	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Deborah King	44	F	1955-11-25	1999-09-28	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Frank King	66	M	1933-06-15	1999-05-15	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Kimberly King	57	F	1942-01-22	1999-08-20	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
William King	79	M	1920-04-28	1999-11-22	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Heather King	48	F	1951-07-30	1999-03-15	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Robert King	61	M	1938-09-08	1999-06-10	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Elizabeth King	72	F	1927-11-20	1999-10-25	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
Charles King	86	M	1913-03-05	1999-12-18	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Patricia King	56	F	1943-08-22	1999-07-05	Cancer	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Thomas King	69	M	1930-10-30	1999-04-28	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Margaret King	78	F	1921-03-12	1999-11-12	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
James King	90	M	1909-05-25	1999-10-05	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Susan King	49	F	1950-12-28	1999-08-15	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Michael King	63	M	1936-04-18	1999-05-22	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Laura King	74	F	1925-06-30	1999-11-08	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
Christopher King	82	M	1917-09-12	1999-12-22	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Angela King	46	F	1953-11-20	1999-09-10	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Benjamin King	59	M	1940-03-05	1999-01-18	Heart Disease	Michigan, USA	Michigan, USA	College	Lawyer	Protestant	White	Married
Christine King	51	F	1948-07-18	1999-09-25	Stroke	Ohio, USA	Ohio, USA	High School	Homemaker	Catholic	White	Married
Harold King	75	M	1924-01-28	1999-12-05	Heart Disease	Arizona, USA	Arizona, USA	High School	Retired	Methodist	White	Married
Deborah King	45	F	1954-03-10	1999-08-28	Cancer	California, USA	California, USA	High School	Secretary	Catholic	White	Married
Frank King	67	M	1932-05-22	1999-05-10	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Kimberly King	58	F	1941-08-28	1999-08-18	Stroke	Texas, USA	Texas, USA	High School	Homemaker	Baptist	White	Married
William King	80	M	1919-10-10	1999-11-28	Heart Disease	Georgia, USA	Georgia, USA	High School	Minister	Methodist	Black	Married
Heather King	49	F	1950-12-12	1999-03-25	Cancer	Florida, USA	Florida, USA	College	Nurse	Catholic	White	Married
Robert King	62	M	1937-04-30	1999-06-08	Heart Disease	Washington, USA	Washington, USA	High School	Teacher	Protestant	White	Married
Elizabeth King	71	F	1928-09-12	1999-10-18	Stroke	California, USA	California, USA	High School	Homemaker	Catholic	White	Married
Charles King	83	M	1916-06-20	1999-12-02	Heart Disease	Illinois, USA	Illinois, USA	High School	Retired	Methodist	White	Married
Patricia King	54	F	1945-01-30	1999-07-12	Cancer	Texas, USA	Texas, USA	College	Teacher	Baptist	White	Married
Thomas King	67	M	1932-07-22	1999-05-25	Heart Disease	Illinois, USA	Illinois, USA	High School	Engineer	Protestant	White	Married
Margaret King	76	F	1923-02-28	1999-11-05	Stroke	California, USA	California, USA	High School	Homemaker	Catholic		

Sat Oct 31, 2015

ALL STATION EVENTS

09:04

NIGHT # 07.3.21.0

Page 2

Activity	Qty	Med Name Brand Name	Med ID Alt ID	Class	Bag	End	Date	Time
REMOVED	1	By: [REDACTED] Order Number: 5 For Patient: [REDACTED]	(RTBAC)	Room: A622 A Bed:	19		10/21/2015 09:04	
REMOVED	1	By: [REDACTED] Order Number: 5 For Patient: [REDACTED]	(RTBAC)	Room: A622 A Bed:	19		10/21/2015 09:04	
REMOVED	1	By: JOHNSON, BARBARA Order Number: 54 For Patient: [REDACTED]	(RTBAC)	Room: A620 A Bed:	17	16	10/21/2015 09:53	
REMOVED	1	By: NAKHUMU, MICHELLE Order Number: 5 For Patient: [REDACTED]	(RTBAC)	Room: A622 A Bed:	16	15	10/21/2015 12:21	
REMOVED	1	By: PLITZER, MICHAEL Order Number: 40 For Patient: [REDACTED]	(PLITZER)	Room: A621 A Bed:	15	14	10/21/2015 19:48	
ADFILED	5	By: DANHWA, FRED PT Order Number: 24 For Patient: [REDACTED]	(DANHWA)	Room: A622 A Bed:	14	20	10/22/2015 01:46	
REMOVED	1	By: PLITZER, MICHAEL Order Number: 24 For Patient: [REDACTED]	(PLITZER)	Room: A622 A Bed:	20	19	10/23/2015 03:31	
CANCELLED REMOVE	1	By: BARRY, CYNTHIA Order Number: 7 For Patient: [REDACTED]	(RTBAC)	Room: A621 A Bed:	19	18	10/23/2015 03:31	
REMOVED	1	By: BARRY, CYNTHIA Order Number: 7 For Patient: [REDACTED]	(RTBAC)	Room: A621 A Bed:	19	18	10/23/2015 03:31	
REMOVED	1	By: BARRY, CYNTHIA Order Number: 7 For Patient: [REDACTED]	(RTBAC)	Room: A621 A Dr. Name Bed:	20	21	10/23/2015 03:31	
Removed by: BARRY, CYNTHIA (RTBAC) on: 10/26/2015 03:07 at drawer: 4-A1								
*** DISCREPANCY in above transaction - EXPECTED 18, FOUND 20 ***								
RESOLUTION:								
Resolved By: BARRY, CYNTHIA (RTBAC) Reason: Auto Resolved								
CANCELLED REMOVE	1	By: BARRY, CYNTHIA Order Number: 7 For Patient: [REDACTED]	(RTBAC)	Room: A621 A Bed:	21	21	10/26/2015 03:07	
REMOVED	1	By: VENUY, KELLY Order Number: 6 For Patient: [REDACTED]	(VENUY)	Room: A621 A Bed:	21	20	10/27/2015 07:49	

Sun Nov 01, 2015

ALL STATION EVENTS

06:43

REPORT SETUP PARAMETERS FOR
UMASS MEMORIAL #1163
119 BELMONT STREET
WORCESTER, MA 01605

START TIME : 10/31/2015 00:00
END TIME : 11/01/2015 06:43
SORT MODE : ALL STATION ROCKET
STATION/DWR/PKT :
MED CLASS : ALL CLASSES
USER NAME : ALL USERS
PATIENT NAME : ALL PATIENTS

*** Only a partial report of the last day can be generated ***

Med Classes: 0 = UNKNOWN, 1 = Miso. Controlled A, 2 = Controlled G-II,
3 = Controlled G-III, 4 = Controlled C-IV,
5 = Controlled C-V, C = Non-Pyxis Med, M = Non-controlled B,
U = Non-controlled A

LOCATION: A38

Activity	Qty	Med Name Brand Name	Med ID AIC ID	Class	Req	End	Date	Time
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DRAWER:

5

DRAWER OPENED UNEXPECTEDLY

11/01/2015 05:49

DRAWER CLOSED

11/01/2015 05:45

POCKET:

5-A1

diclofenac sodium 100 mg capsules
Colace

2539

U

2539

REMOVED

By: HUNTER, DEBRA

(03418)

41

40

10/31/2015 06:21

Order Number: 22

For Patient: [REDACTED]

Room:

A308 A

Bed:

REMOVED

By: KAYZANOWSKI, NATALIE

(1042418)

40

38

10/31/2015 08:17

Order Number: 31

For Patient: [REDACTED]

Room:

A313 A

Bed:

REMOVED

By: JACOBSON, JANE

(03082)

39

36

10/31/2015 08:21

Order Number: 29

For Patient: [REDACTED]

Room:

A307 A

Bed:

Sun Nov 01, 2015

ALL STATION EVENTS

06143

Print: 11/01/2015

Page 5

Activity	Qty	Mod Name Brand Name	Req ID Alt ID	Class	Req	End	Date	Time
REMOVED	1	BY: DUBON, HEATHER Order Number: 47 For Patient: [REDACTED] This is Short Acting (Immediate Release); ACKNOWLEDGED	(DUBON)	Room: A303 A Bed:	70	70	10/31/2015	16:17
REMOVED	3	BY: DUBON, HEATHER Order Number: 32 For Patient: [REDACTED] This is Short Acting (Immediate Release); ACKNOWLEDGED	(DUBON)	Room: A301 A Bed:	79	76	10/31/2015	16:45
REMOVED	3	BY: DUBON, HEATHER Order Number: 32 For Patient: [REDACTED] This is Short Acting (Immediate Release); ACKNOWLEDGED	(DUBON)	Room: A301 A Bed:	76	70	10/31/2015	16:52
REMOVED	2	BY: DUBON, HEATHER Order Number: 47 For Patient: [REDACTED] This is Short Acting (Immediate Release); ACKNOWLEDGED	(DUBON)	Room: A303 A Bed:	73	72	10/31/2015	17:01
REMOVED	3	BY: WILCOX, CHRISTINA Order Number: 32 For Patient: [REDACTED] This is Short Acting (Immediate Release); ACKNOWLEDGED	(WILCOX)	Room: A301 A Bed:	69	69	11/01/2015	00:00
*** DISCREPANCY in above transaction - EXPENDED 72, FOUND 69 ***								
RESOLUTION:								
Resolved By: HIVILLE, DEBRA (SHND) Reason: actual count 69, prior user with unresolved discrepancy								
Witnessed By: WILCOX, CHRISTINA (WILCOX)								
This is Short Acting (Immediate Release); ACKNOWLEDGED								
CANCELLED REMOVE		BY: HIVILLE, DEBRA Order Number: 30 For Patient: [REDACTED]	(SHND)	Room: A301 A Bed:				
REMOVED	1	BY: WILCOX, CHRISTINA Order Number: 47 For Patient: [REDACTED]	(WILCOX)	Room: A303 A Bed:				
*** DISCREPANCY in above transaction - EXPENDED 69, FOUND 63 ***								
RESOLUTION:								
Currently Unresolved								
This is Short Acting (Immediate Release); ACKNOWLEDGED								
CANCELLED REMOVE		BY: HIVILLE, DEBRA Order Number: 19 For Patient: [REDACTED]	(SHND)	Room: A303 A Bed:	62	62	11/01/2015	01:59
INVENTORIED	62	BY: KHEBOZIAN, PAUL RPH Order Number: 19 For Patient: [REDACTED]	(KHEBOZ)		62	62	11/01/2015	05:42
EQUIPOT DJ FAILED TO OPEN DURING INVENTORY								
BY: KHEBOZIAN, PAUL RPH								
11/01/2015 05:43								

Additional discrepancy found

Sun Nov 01, 2015

ALL STATION EVENTS

06:43

10/31/2015 07:32:00

Page 6

Activity	Qty	Med Name Brand Name	Mod YD Alt YD	Class	Bag	Box	Date	Time
POCKET OF RECOVERY ATTEMPT FAILED TO OPEN		By: KHEBOSIAN, PAUL RPH (RKHBP)					11/01/2015 05:43	
UNLOADED	62	By: KHEBOSIAN, PAUL RPH (RKHBP)			62	0	11/01/2015 05:43	
POCKET:	5-D9	lpretropium 0.02% 0.5 mg / 2.5 mL nebulizer Atrovent 0.02%	1241 1241	U				
REMOVED	1	By: HANSEN, VICKY (HCHZERV) Order Number: 39 For Patient: [REDACTED]		Room: A312 A Bed:	17	16	10/31/2015 16:11	
REMOVED	1	By: DARRY, CYNTHIA (RYDNC) Order Number: 49 For Patient: [REDACTED]		Room: A312 A Bed:	16	15	10/31/2015 20:00	
POCKET:	5-B1	magnesium sulfate 2 g / 50 mL prepak magnesium sulfate	1155 1155	U				
REMOVED	1	By: KOUHARTS, DEBBIE PT (RKHBD)			5	6	10/31/2015 02:12	

End of Report

oxycodone activity

Sun Nov 01 2015

ALL STATION EVENTS

08:35

REPORT SETUP PARAMETERS FOR
 UMASS MEMORIAL #1163
 119 BELMONT STREET
 WORCESTER, MA 01605

START TIME : 10/31/2015 00:00
 END TIME : 11/01/2015 08:34
 SORT MODE : BY STN/MED
 STATION : A38
 MED NAME : oxycodone IR 5 mg tablet
 MED CLASS : ALL CLASSES
 USER NAME : ALL USERS
 PATIENT NAME : ALL PATIENTS

*** Only a partial report of the last day can be generated ***

Med Classes: 0 = UNKNOWN, 1 = Miso. Controlled A, 2 = Controlled C-II,
 3 = Controlled C-III, 4 = Controlled C-IV,
 5 = Controlled C-V, C = Non-Pyxis Med, M = Non-controlled B,
 U = Non-controlled A

LOCATION: A38

Activity	Qty	Drawer	Qty	End	Qty	Time
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MED: MED NAME: oxycodone IR 5 mg tablet
 ID: 1020
 BRAND: oxycodone IR

CLASS: 2 Controlled C-II
 ALT ID: 1020

REMOVED	1	By: RODRIGUEZ, MIA (N008)10	Room: A301 A	Bed: 35	32	10/31/2015 00:00
Order Number: 22						
For Patient: [REDACTED]						
This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	2	By: HIVILLE, DEBRA (S3H1D)	Room: A309 A	Bed: 32	30	10/31/2015 00:11
Order Number: 20						
For Patient: [REDACTED]						
This is Short Acting (Immediate Release): ACKNOWLEDGED						
RESTOCKED	3	By: HIVILLE, DEBRA (S3H1D)	Room: A302 A Dr. Nang?	Bed: 30	32	10/31/2015 00:22
Order Number: 20						
For Patient: [REDACTED]						
Removed by: HIVILLE, DEBRA (S3H1D) on 10/31/2015 00:11 at drawer: 5-D1						
REMOVED	3	By: HIVILLE, DEBRA (S3H1D)	Room: A313 A	Bed: 32	29	10/31/2015 00:23
Order Number: 16						
For Patient: [REDACTED]						
This is Short Acting (Immediate Release): ACKNOWLEDGED						

Sat Oct 31, 2015

ALL STATION EVENTS

09:04

REPORT SETUP PARAMETERS FOR
UMASS MEMORIAL #1163
119 BELMONT STREET
WORCESTER, MA 01605

START TIME 10/21/2015 00:00.
END TIME 10/31/2015 09:02
SORT MODE BY STN/POCKET
STATION/DWR/PKT A6S/4
MED CLASS ALL CLASSES
USER NAME ALL USERS
PATIENT NAME ALL PATIENTS

*** Only a partial report of the last day can be generated ***

Med Classes: 0 = UNKNOWN, 1 = Misc. Controlled A, 2 = Controlled C-II,
3 = Controlled C-III, 4 = Controlled C-IV,
5 = Controlled C-V, C = Non-Epis Med, M = Non-controlled B,
U = Non-controlled A

LOCATION: A6S

Activity	Qty	Med Name	Med ID	Class	Bag	End	Date	Time
		Dosage	Alt ID					
DRAWER:								
DRAWER OPENED UNEXPECTEDLY							10/28/2015	09:18
DRAWER CLOSED							10/28/2015	09:19
DRAWER LEFT OPEN		BY: NACE, ANOEL RPH	(NACEA)				10/29/2015	15:39
DRAWER LEFT OPEN		BY: NADOLSKI, MEREDITH	(NADOLSKI)				10/31/2015	07:41
DRAWER CLOSED		BY: NADOLSKI, MEREDITH	(NADOLSKI)				10/31/2015	07:41
REMOVED								
		albuterol concentrated 0.5%	1243	U				
		albuterol concentrated 0.5%	1243					
		2.5 mg / 0.5 ml nebulizer	(RTOA)		20	19		
Order Number:	5			Room:	A622 A			
For Patient:				Bed:				

Sun Nov 01, 2015

ALL STATION EVENTS

08:35

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Page 2

Activity	Qty			Drawer	Box	End	Date	Time
REMOVED	1	By: HIVILLE, DEBRA (RH10)		5-D1	29	28	10/31/2015	08:39
		Order Number: 17		Room: A311 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	70	By: ZOUHART, DOROTHY PT (RZ00)		5-D1	28	98	10/31/2015	02:10
REMOVED	3	By: RODRIGUEZ, HIA (RODRH10)		5-D1	98	95	10/31/2015	03:12
		Order Number: 32		Room: A301 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	2	By: HIVILLE, DEBRA (RH10)		5-D1	95	93	10/31/2015	04:39
		Order Number: 45		Room: A313 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	1	By: RODRIGUEZ, HIA (RODRH10)		5-D1	93	92	10/31/2015	05:26
		Order Number: 47		Room: A303 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	3	By: RODRIGUEZ, HIA (RODRH10)		5-D1	92	89	10/31/2015	06:03
		Order Number: 32		Room: A301 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
RESTOCKED	1	By: RODRIGUEZ, HIA (RODRH10)		5-D1	89	90	10/31/2015	06:13
		Order Number: 32		Room: A301 A Dr. Hargis				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		Removed by: RODRIGUEZ, HIA (RODRH10) on: 10/31/2015 06:03 at drawer: 5-D1						
REMOVED	3	By: REED, JONAH (REEDJ03)		5-D1	90	87	10/31/2015	09:05
		Order Number: 32		Room: A301 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	2	By: KRYZANOWSKI, NATALIE (KRYZAN1)		5-D1	87	84	10/31/2015	10:33
		Order Number: 46		Room: A313 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	3	By: RODRIGUEZ, HIA (RODRH10)		5-D1	84	83	10/31/2015	12:02
		Order Number: 47		Room: A303 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
		This is Short Acting (Immediate Release): ACKNOWLEDGED						
REMOVED	3	By: REED, JONAH (REEDJ03)		5-D1	83	80	10/31/2015	12:39
		Order Number: 32		Room: A301 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				

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Activity	Qty	Order	Bag	Find	Date	Time
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This is Short Acting (Immediate Release): ACKNOWLEDGED

REMOVED	1	By: ORLEON, HEATHER (DELEONH)	5-D1	60	79	10/31/2015 16:37
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Order Number: 47

Room: A307 A

For Patient: [REDACTED]

Bed: [REDACTED]

This is Short Acting (Immediate Release): ACKNOWLEDGED

REMOVED	3	By: ORLEON, HEATHER (DELEONH)	5-D1	79	76	10/31/2015 16:45
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Order Number: 32

Room: A301 A

For Patient: [REDACTED]

Bed: [REDACTED]

This is Short Acting (Immediate Release): ACKNOWLEDGED

REMOVED	3	By: ORLEON, HEATHER (DELEONH)	5-D1	76	73	10/31/2015 19:52
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Order Number: 32

Room: A301 A

For Patient: [REDACTED]

Bed: [REDACTED]

This is Short Acting (Immediate Release): ACKNOWLEDGED

REMOVED	1	By: ORLEON, HEATHER (DELEONH)	5-D1	73	72	10/31/2015 20:51
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Order Number: 47

Room: A303 A

For Patient: [REDACTED]

Bed: [REDACTED]

This is Short Acting (Immediate Release): ACKNOWLEDGED

REMOVED	3	By: WILCOX, CHRISTINA (WILCOXC)	5-D1	69	66	11/01/2015 00:02
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Order Number: 32

Room: A301 A

For Patient: [REDACTED]

Bed: [REDACTED]

*** DISCREPANCY in above transaction - EXPECTED 72, FOUND 69 *** 3

RESOLUTION:

Resolved By: HUVILLE, DEBRA (SHHD) Reason: actual count 68; prior user with unresolved discrepancy

11/01/2015 00:07

Witnessed By: WILCOX, CHRISTINA (WILCOXC)

This is Short Acting (Immediate Release): ACKNOWLEDGED

CANCELLED REMOVE	1	By: HUVILLE, DEBRA (SHHD)	5-D1	66	66	11/01/2015 00:08
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Order Number: 30

Room: A301 A

For Patient: [REDACTED]

Bed: [REDACTED]

REMOVED	1	By: WILCOX, CHRISTINA (WILCOXC)	5-D1	63	62	11/01/2015 01:36
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Order Number: 47

Room: A303 A

For Patient: [REDACTED]

Bed: [REDACTED]

*** DISCREPANCY in above transaction - EXPECTED 66, FOUND 63 *** 3

RESOLUTION:

Currently Unresolved

This is Short Acting (Immediate Release): ACKNOWLEDGED

CANCELLED REMOVE	1	By: HUVILLE, DEBRA (SHHD)	5-D1	62	62	11/01/2015 01:59
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Order Number: 19

Room: A309 A

For Patient: [REDACTED]

Bed: [REDACTED]

INVENTORIED	62	By: KHESOTIAN, PAUL RPH (RXKHP)	5-D1	62	62	11/01/2015 05:42
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POCKET DI FAILED TO OPEN DURING INVENTORY

By: KHESOTIAN, PAUL RPH (RXKHP)

5-D1

11/01/2015 05:43

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Activity	Qty	Drawer	Bog	End	Date	Time	
LOCKET - RECOVERY ATTEMPT FAILED TO OPEN							
By: KIRBOJINI, PAUL RPH		(RXNIP)			11/01/2015	05:40	
UNLOADED	62	By: KNEBOTAR, PAUL RPH	(RXNIP)	5-01	62	0	11/01/2015 05:43
LOADED	100	By: KIRBOJINI, PAUL RPH	(RXNIP)	4-23	0	100	11/01/2015 06:03
REMOVED	1	By: NIKCOX, CHRISTINA	(NKLCOXQ)	4-23	100	99	11/01/2015 06:19

Order Number: 47

Room: A303 A

For Patient:

Bed:

This is Short Acting (Immediate Release) ACKNOWLEDGED

End of Report

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Activity	Qty	Med Name Brand Name	Med ID A16-70	Class	Bay	End	Date	Time
REMOVED	1	Dyl VERUTTI, KELLY Order Number: 6 For Patient: [REDACTED]	(VERUTTI)	Room: A621 A Bed:	20	19	10/27/2015	11:14
REMOVED	1	Dyl TERRANOVA, LISA Order Number: 6 For Patient: [REDACTED]	(TERRANOVA)	Room: A621 A Bed:	19	18	10/27/2015	15:29
REFILLED	1	Dyl BUCKLEY, DAMN PT Order Number: 6 For Patient: [REDACTED]	(BMB)		19	18	10/26/2015	00:30
REFILLED	1	Dyl BUCKLEY, DAMN PT Order Number: 6 For Patient: [REDACTED]	(BMB)		19	20	10/26/2015	00:39
REMOVED	1	Dyl TERRANOVA, LISA Order Number: 64 For Patient: [REDACTED]	(TERRANOVA)	Room: A621 A Bed:	20	19	10/26/2015	00:49
REMOVED	1	Dyl HULVAY, MICHELLE Order Number: 6 For Patient: [REDACTED]	(HMH)	Room: A621 A Bed:	19	18	10/26/2015	00:14
REMOVED	1	Dyl HULVAY, MICHELLE Order Number: 6 For Patient: [REDACTED]	(HMH)	Room: A621 A Bed:	18	17	10/26/2015	12:09
REMOVED	1	Dyl HULVAY, MICHELLE Order Number: 6 For Patient: [REDACTED]	(HMH)	Room: A621 A Bed:	17	16	10/26/2015	17:00
REMOVED	1	Dyl PACHAL, SHILTA Order Number: 6 For Patient: [REDACTED]	(PFA)	Room: A621 A Bed:	16	15	10/26/2015	19:29
REMOVED	1	Dyl PACHAL, SHILTA Order Number: 34 For Patient: [REDACTED]	(PFA)	Room: A606 A Bed:	15	14	10/26/2015	22:35
REMOVED	1	Dyl STEVEN, ROBERT Order Number: 34 For Patient: [REDACTED]	(RSTR)	Room: A606 A Bed:	14	13	10/26/2015	23:51

REFILLED 6 Dyl CARRY, MARILYN PT (CARRY) 14 19 10/29/2015 00:37

*** DISCREPANCY in above transaction - EXPECTED 13, FOUND 14 ***
RESOLUTION:

Resolved by: CARRY, MARILYN PT (CARRY) Reason: Auto Reopened

10/29/2015 00:37

REMOVED 1 Dyl REYNOLDS, MORANN (RREN) 19 18 10/29/2015 07:39
Order Number: 6
For Patient: [REDACTED]

REMOVED 1 Dyl REYNOLDS, MORANN (RREN) 18 17 10/29/2015 07:41

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Activity	Qty	Med Name Brand Name	Med XO Alt XO	Class	Seq	End	Qty	Time
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: REVINOLOS, MORANN Order Number: 8 For Patient: [REDACTED]	(RTREN)	Room: A606 A Bed:		17	16	10/29/2015 11:19
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: REVINOLOS, MORANN Order Number: 8 For Patient: [REDACTED]	(RTREN)	Room: A606 A Bed:		14	15	10/29/2015 11:20
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: CURTIS, JOHANN Order Number: 8 For Patient: [REDACTED]	(RTCUJ)	Room: A606 A Bed:		15	14	10/29/2015 15:30
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: ORLANDO, JIM Order Number: 8 For Patient: [REDACTED]	(RTORJ)	Room: A606 A Bed:		14	14	10/29/2015 18:28
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: ORLANDO, JIM Order Number: 8 For Patient: [REDACTED]	(RTORJ)	Room: A606 A Bed:		13	12	10/29/2015 23:02
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REFILLED	7	By: DUCKLEY, DANN PT Order Number: 8 For Patient: [REDACTED]	(DDB)			12	19	10/30/2015 01:10
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: ORLANDO, JIM Order Number: 8 For Patient: [REDACTED]	(RTORJ)	Room: A606 A Bed:		19	18	10/30/2015 03:20
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: CURTIS, JOHANN Order Number: 8 For Patient: [REDACTED]	(RTCUJ)	Room: A606 A Bed:		10	17	10/30/2015 07:14
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: CURTIS, JOHANN Order Number: 12 For Patient: [REDACTED]	(RTCUJ)	Room: A620 A Bed:		17	16	10/30/2015 07:45
		Order Number: 12 For Patient: [REDACTED]		Room: A620 A Bed:				
REMOVED	1	By: CURTIS, JOHANN Order Number: 8 For Patient: [REDACTED]	(RTCUJ)	Room: A606 A Bed:		16	15	10/30/2015 11:27
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: CURTIS, JOHANN Order Number: 12 For Patient: [REDACTED]	(RTCUJ)	Room: A620 A Bed:		15	14	10/30/2015 11:28
		Order Number: 12 For Patient: [REDACTED]		Room: A620 A Bed:				
REMOVED	1	By: CURTIS, JOHANN Order Number: 8 For Patient: [REDACTED]	(RTCUJ)	Room: A606 A Bed:		14	13	10/30/2015 15:08
		Order Number: 8 For Patient: [REDACTED]		Room: A606 A Bed:				
REMOVED	1	By: CURTIS, JOHANN Order Number: 8 For Patient: [REDACTED]	(RTCUJ)			13	12	10/30/2015 15:39

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Activity	Qty	Med Name Brand Name	Med ID Alt ID	Class	Bag	End	Date	Time
		Order Number: 12		Room: A620 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
REMOVED	1	By: NGUYEN, KIEU Order Number: 8 For Patient: [REDACTED]	(NGUYENK05)	Room: A606 A Bed: [REDACTED]	12	11	10/30/2015	19:31
REMOVED	1	By: NGUYEN, KIEU Order Number: 12 For Patient: [REDACTED]	(NGUYENK05)	Room: A620 A Bed: [REDACTED]	11	10	10/30/2015	19:32
REFILLED	10	By: KORANTENG, DEYRE PT Order Number: 8 For Patient: [REDACTED]	(KORANTENG)		10	20	10/31/2015	01:11
REMOVED	1	By: NGUYEN, KIEU Order Number: 8 For Patient: [REDACTED]	(NGUYENK05)	Room: A606 A Bed: [REDACTED]	20	19	10/31/2015	02:11
REMOVED	1	By: NGUYEN, KIEU Order Number: 8 For Patient: [REDACTED]	(NGUYENK05)	Room: A609 A Bed: [REDACTED]	19	18	10/31/2015	05:51
REMOVED	2	By: HAYESI, TONY Order Number: 13 For Patient: [REDACTED]	(HAYESI)	Room: A620 A Bed: [REDACTED]	18	16	10/31/2015	09:15
REMOVED	2	By: HAYESI, TONY Order Number: 6 For Patient: [REDACTED]	(HAYESI)	Room: A619 A Bed: [REDACTED]	16	14	10/31/2015	08:16
REMOVED	2	By: HAYESI, TONY Order Number: 8 For Patient: [REDACTED]	(HAYESI)	Room: A606 A Bed: [REDACTED]	14	12	10/31/2015	08:17
POCKETS		nalgesium/alum-hydrox/alinet 30 ml suspension Neslog Blue	637 637	U				
REMOVED	1	By: SACHARIA, AN Order Number: 44 For Patient: [REDACTED]	(SACHARIA01)	Room: A622 A Bed: [REDACTED]	3	4	10/21/2015	01:58
REFILLED	15	By: DANKWA, TRED PT Order Number: 71 For Patient: [REDACTED]	(DANKWA)		4	8	10/22/2015	01:43
REMOVED	1	By: HARB, DIANE Order Number: 71 For Patient: [REDACTED]	(HARB)	Room: A622 A Bed: [REDACTED]	8	7	10/23/2015	13:21
REMOVED	1	By: SACHARIA, AN Order Number: 75	(SACHARIA01)	Room: A622 A	7	6	10/23/2015	19:33

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Activity	Qty	Med Name Brand Name	Med ID Alt ID	Class	Req.	Und.	Date	Time
REMOVED	1	By: GIGHEEY, DANE Order Number: 76 For Patient: [REDACTED]	(GIGHEEY)	Room: A622 A Bed:	1	5	10/27/2015 00:13	
REMOVED	1	By: HARD, DIANE Order Number: 76 For Patient: [REDACTED]	(HARD)	Room: A622 A Bed:	1	4	10/27/2015 14:31	
REMOVED	1	By: BOK CIO, MEGAN Order Number: 70 For Patient: [REDACTED]	(BOKCIO)	Room: A603 A Bed:	1	3	10/27/2015 21:48	
REFILLED	5	By: BUCKLEY, DAWN PT	(DWB)		5	0	10/28/2015 00:36	
POCKET								
		Methylprednisolone sodium succ 40 mg / 1 ml vial	132	U				
		Solu-Medrol	132					
REMOVED	2	By: SACHAR, AN Order Number: 29 For Patient: [REDACTED]	(SACHAR)	Room: A622 A Bed:	2	7	10/21/2015 05:44	
REFILLED	1	By: DANKHA, FRED PT	(DANKHA)		1	0	10/22/2015 01:41	
REMOVED	1	By: HENRICKSON, EILEEN Order Number: 19 For Patient: [REDACTED]	(HENR)	Room: A603 A Bed:	1	7	10/24/2015 11:22	
REMOVED	1	By: HENRICKSON, EILEEN Order Number: 19 For Patient: [REDACTED]	(HENR)	Room: A603 A Bed:	1	6	10/25/2015 09:16	
REFILLED	2	By: SOUMAIRA, DEMETRI PT	(SOUM)		2	0	10/26/2015 00:09	
REMOVED	1	By: HARD, DIANE Order Number: 19 For Patient: [REDACTED]	(HARD)	Room: A603 A Bed:	1	7	10/26/2015 09:09	
REFILLED	4	By: BUCKLEY, DAWN PT	(DWB)		4	0	10/27/2015 01:19	
REMOVED	1	By: HARD, DIANE Order Number: 19 For Patient: [REDACTED]	(HARD)	Room: A603 A Bed:	1	7	10/27/2015 09:08	
REFILLED	3	By: BUCKLEY, DAWN PT	(DWB)		3	0	10/28/2015 00:38	

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Activity	Qty	Med Name Brand Name	Med ID Alt ID	Class	Req	End	Date	Time
ROCKET		NITROGLYCERIN (0.4 mg/hr) 10 mg patch Nitro-Ose	1006 1006	V				
OUTDATED	6	By: OASCOYNE, ODD PT	(NOO0)		6	0	10/30/2015	15:09
REFILLED	6	By: ROY, RYAN PT	(ROYR05)		6	0	10/30/2015	16:03
ROCKET		oxyCODONE/acetaminophen 5 mg / 325 mg-tablet Parocetol	1019 1019	3				
REMOVED	1	By: ZACHANTIA, NJ	(ZACHIA01)		62	61	10/31/2015	00:56
		Order Number: 35		Room: A604 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
INVENTORIED	50	By: LARSON, DAYNA	(LARSD003)		61	60	10/31/2015	11:11
		Order Number: 35		Room: A604 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
REMOVED	2	By: TILTON, TRUDY	(SETILT)					
		Order Number: 34		Room: A605 A				
		For Patient: [REDACTED]		Bed: [REDACTED]				
INVENTORIED	50	By: PRASLEY, LORI	(NSLAP)					
		Witnessed By: TILTON, TRUDY	(SETILT)					
*** DISCREPANCY in above transaction - EXPECTED 58, FOUND 50 ***								
RESOLUTION:								
		Received By: PRASLEY, LORI	(NSLAP)	Reason: COUNT WRONG NUMBER ENTERED WAS 30 ON COUNT			10/28/2015	08:29
		Witnessed By: TILTON, TRUDY	(SETILT)					
INVENTORIED	50	By: PRASLEY, LORI	(NSLAP)		50	50	10/28/2015	08:30
		Witnessed By: TILTON, TRUDY	(SETILT)					
INVENTORIED	50	By: PRASLEY, LORI	(NSLAP)		50	50	10/28/2015	08:54
		Witnessed By: GILMORE, KATHLEEN PT	(GKOTK)					
INVENTORIED	50	By: PRASLEY, LORI	(NSLAP)		50	50	10/28/2015	09:17
		Witnessed By: KHEBOYAN, PAUL RPH	(KHKRP)					
INVENTORIED	50	By: PRASLEY, LORI	(NSLAP)		50	50	10/28/2015	14:57
		Witnessed By: HACE, ANGEL RPH	(HACER)					
ROCKET: DI FAILED TO OPEN OURHQ INVENTORY								
		By: HACE, ANGEL RPH	(HACER)				10/29/2015	19:38

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Activity	Qty	Med Name, Brand Name	Med-Id Alt Id	Class	Req	End	Date	Time
POCKET DI RECOVERY ATTEMPT FAILED TO OPEN		By: NACE, ANGEL RPH (NACEA)					10/29/2015 15:39	
UNLOADED	50	By: NACE, ANGEL RPH (NACEA)			50	0	10/29/2015 15:39	
LOADED	50	By: NACE, ANGEL RPH (NACEA)			0	50	10/29/2015 15:40	
INVENTORIED	50	By: NACE, ANGEL RPH (NACEA)			50	50	10/29/2015 15:43	
INVENTORIED	50	By: PUNNEY, LORI (PUNNEY) Witnessed by: VERHAUWEN, JONIC (VERHAUWEN)			50	50	10/30/2015 10:16	
REMOVED	1	By: DYKSTRA, EMILY Order Number: 27 For Patient: [REDACTED] (DYKSTRA)		Room: A620 A Bed:	50	49	10/30/2015 10:08	
REMOVED	1	By: DOHRBACH, ERIN Order Number: 27 For Patient: [REDACTED] (DOHRBACH)		Room: A620 A Bed:	49	48	10/30/2015 19:32	
REMOVED	1	By: STONEBY, DALE Order Number: 27 For Patient: [REDACTED] (STONEBY)		Room: A620 A Bed:	48	47	10/31/2015 00:48	
REMOVED	1	By: MADORSKI, MEREDITH Order Number: 27 For Patient: [REDACTED] (MADORSKI)		Room: A620 A Bed:	47	46	10/31/2015 07:41	
INVENTORIED	47	By: IDRAH, ALEXANDRA Witnessed by: CHYRON, JAM (IDRAH) (CHYRON)			46	47	10/31/2015 07:51	
*** DISCREPANCY in above transaction - EXPECTED 46, FOUND 47 ***								
RESOLUTION:								
Currently Unresolved								
CANCELLED INVENTORY		By: KNEBOUT, PAUL RPH (KNEBOUT)			47	47	10/31/2015 07:55	
POCKET DI FAILED TO OPEN DURING INVENTORY		By: KNEBOUT, PAUL RPH (KNEBOUT)					10/31/2015 07:55	
POCKET DI RECOVERY ATTEMPT FAILED TO OPEN		By: KNEBOUT, PAUL RPH (KNEBOUT)					10/31/2015 07:55	
DRAWER 4-D POCKET DI FAILED TO RECOVER DURING RECOVER		By: KNEBOUT, PAUL RPH (KNEBOUT)					10/31/2015 07:56	
POCKET DI REQUIRES MAINTENANCE		By: KNEBOUT, PAUL RPH (KNEBOUT)					10/31/2015 07:56	
POCKET DI RECOVERY ATTEMPT FAILED TO RECOVER		By: KNEBOUT, PAUL RPH (KNEBOUT)					10/31/2015 07:56	

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Activity	Qty	Med Name Brand Name	Med ID Alt ID	Class	Qty	End	Date	Time
REMOVED	2	BYI NAYEDZ, TONY Order Number: 7 For Patient: [REDACTED]	(NAYEDZ)	Room: A619 A Bed:	14	10	10/31/2015 08:16	
REMOVED	2	BYI NAYEDZ, TONY Order Number: 10 For Patient: [REDACTED]	(NAYEDZ)	Room: A619 A Bed:	12	10	10/31/2015 08:17	
<p>Injectable 30 g / 30 ml solution Compivo</p> <p>690 U 690</p>								
REMOVED	1	BYI ARNOLD, AMANDA Order Number: 22 For Patient: [REDACTED]	(ARNOLD)	Room: A601 A Bed:	5	4	10/21/2015 20:55	
REMOVED	1	BYI ARNOLD, AMANDA Order Number: 22 For Patient: [REDACTED]	(ARNOLD)	Room: A601 A Bed:	4	3	10/21/2015 22:35	
RESTOCKED	1	BYI ARNOLD, AMANDA Order Number: 22 For Patient: [REDACTED] Removed by: ARNOLD, AMANDA (ARNOLD) on 10/21/2015 22:35 at drawer: 4-B3	(ARNOLD)	Room: A601 A Dr. Name: PEARSE VEGARDOUSE, JUAN Bed:	4	4	10/21/2015 23:17	
REFILLED	3	BYI DANHWA, FRED PT Order Number: 32 For Patient: [REDACTED]	(DANHWA)	Room: A601 A Bed:	15	5	10/22/2015 01:39	
REFILLED	3	BYI DANHWA, FRED PT Order Number: 32 For Patient: [REDACTED]	(DANHWA)	Room: A601 A Bed:	15	0	10/22/2015 01:41	
REMOVED	2	BYI DAVIS, BETH Order Number: 32 For Patient: [REDACTED]	(DAVISB00)	Room: A601 A Bed:	11	7	10/22/2015 10:59	
REMOVED	1	BYI DYRON, JULIE Order Number: 32 For Patient: [REDACTED]	(DYRON)	Room: A601 A Bed:	15	6	10/22/2015 12:40	
REMOVED	1	BYI DYRON, JULIE Order Number: 32 For Patient: [REDACTED]	(DYRON)	Room: A601 A Bed:	6	5	10/22/2015 14:30	
REMOVED	2	BYI SU, CARINA Order Number: 32 For Patient: [REDACTED]	(SU001)	Room: A601 A Bed:	5	4	10/22/2015 15:46	
REMOVED	1	BYI SU, CARINA Order Number: 32 For Patient: [REDACTED]	(SU001)	Room: A601 A Bed:	10	3	10/22/2015 18:35	

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Activity	Qty	Mod Name Brand Name	Mod ID Alt ID	Class	Req	End	Date	Time
REMOVED	1	Dpt 80, CARINA Order Number: 32 For Patient: [REDACTED]	(SUCC01)	Room: A601 A Bed:	2		10/22/2015	21:57
REFILLED	6	Dpt. DANIEL, DOXY PT Order Number: 32 For Patient: [REDACTED]	(DANIEL01)		2	6	10/23/2015	00:39
REMOVED	16	Dpt. DICHOTET, DALE Order Number: 32 For Patient: [REDACTED]	(DICH01)	Room: A601 A Bed:	16	7	10/23/2015	05:29
REMOVED	16	Dpt. GARABEDIAN, LINDA Order Number: 32 For Patient: [REDACTED]	(HIREL)	Room: A601 A Bed:	7	6	10/23/2015	09:41
REMOVED	11	Dpt. GARABEDIAN, LINDA Order Number: 32 For Patient: [REDACTED]	(HIREL)	Room: A601 A Bed:	5		10/22/2015	12:46
REMOVED	1	Dpt. FLYNN, CHRISTA Order Number: 32 For Patient: [REDACTED]	(PAYMCO04)	Room: A601 A Bed:	6	4	10/23/2015	16:01
REMOVED	2	Dpt. RACHAEL, AN Order Number: 32 For Patient: [REDACTED]	(RACHA01)	Room: A601 A Bed:	3		10/23/2015	22:30
REFILLED	3	Dpt. DELTA, HATT PT Order Number: 32 For Patient: [REDACTED]	(DELTA01)		3	7	10/24/2015	02:41
REMOVED	16	Dpt. DIO, JESSICA Order Number: 32 For Patient: [REDACTED]	(DIO01)	Room: A601 A Bed:	7	6	10/24/2015	03:32
REMOVED	16	Dpt. DIO, JESSICA Order Number: 32 For Patient: [REDACTED] Removed by: DIO, JESSICA (DIO01) on: 10/24/2015 00:34 at station: 4-23	(DIO01)	Room: A601 A Dr. Hany Bed:	6	7	10/24/2015	14:17
REMOVED	16	Dpt. TANGHEV, MARTIN Order Number: 32 For Patient: [REDACTED]	(TANGHEV01)	Room: A601 A Bed:	6		10/24/2015	20:23
REMOVED	16	Dpt. RACHAEL, AN Order Number: 32 For Patient: [REDACTED]	(RACHA01)	Room: A601 A Bed:	5		10/25/2015	03:32
REMOVED	16	Dpt. DIO, JESSICA Order Number: 32 For Patient: [REDACTED]	(DIO01)	Room: A601 A Bed:	5	4	10/25/2015	00:51

Sat Oct 31, 2015

ALL STATION EVENTS

09:04

Page 13

Activity	Qty	Mod Name Brand Name	Mod ID Alt ID	Class	Dep	End	Date	Time
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RESTOCKED	2	By: KEATH, CHERRY (KEATH)				2	10/27/2015 09:43	
		Order Number: 32		Room: A601 A, Ur. Name:				
		For Patient: [REDACTED]		Bed:				
		Removed by: KEATH, CHERRY (KEATH) on: 10/27/2015 09:34 at drawer: 5-B3						

REMOVED 7 By: GASCONE, DEB PT (GASCO) 11 10/27/2015 10:11
 *** DISCREPANCY in above transaction - EXPECTED 2, FOUND 4 ***
 RESOLUTION:

Resolved by: GASCONE, DEB PT (GASCO) Reason: Auto Resolved 10/27/2015 10:11

REMOVED	2	By: KEATH, CHERRY (KEATH)				11	10/27/2015 13:25	
		Order Number: 32		Room: A601 A				
		For Patient: [REDACTED]		Bed:				

RESTOCKED	3	By: KEATH, CHERRY (KEATH)				10	10/27/2015 13:42	
		Order Number: 32		Room: A601 A, Ur. Name:				
		For Patient: [REDACTED]		Bed:				
		Removed by: KEATH, CHERRY (KEATH) on: 10/27/2015 13:40 at drawer: 4-B3						

REMOVED	1	By: DAVIS, MARY (DAVIS02)				11	10/28/2015 05:42	
		Order Number: 32		Room: A601 A				
		For Patient: [REDACTED]		Bed:				

REMOVED	1	By: DAVIS, MARY (DAVIS01)				10	10/29/2015 13:35	
		Order Number: 34		Room: A601 A				
		For Patient: [REDACTED]		Bed:				

RESTOCKED	1	By: DAVIS, MARY (DAVIS01)				10	10/30/2015 04:47	
		Order Number: 34		Room: A601 A Ur. Name:				
		For Patient: [REDACTED]		Bed:				
		Removed by: DAVIS, MARY (DAVIS01) on: 10/29/2015 23:35 at drawer: 4-B3						

REMOVED	1	By: DAVIS, MARY (DAVIS01)				10	10/30/2015 05:12	
		Order Number: 34		Room: A601 A				
		For Patient: [REDACTED]		Bed:				

REMOVED	1	By: ZACHARIA, AM (ZACHARIA01)				0	10/31/2015 05:14	
		Order Number: 34		Room: A601 A				
		For Patient: [REDACTED]		Bed:				

End of Report

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT
SUPERIOR COURT DEPARTMENT

WORCESTER, ss.

CIVIL ACTION NO.

16-0889A

CYNTHIA A. BARRY,
Plaintiff

v.

UMASS MEMORIAL MEDICAL CENTER)
UMASS MEMORIAL HEALTHCARE,)
Defendant)

FILED

JUN 16 2016

ATTEST:

[Signature] CLERK

**MOTION FOR APPOINTMENT OF SPECIAL
PROCESS SERVER AND ORDER OF APPOINTMENT**

In accordance with the provisions of Rule 4C of the M.R.C.P., the undersigned hereby requests this Honorable Court for the appointment of a Constable from the Offices of George & Associates as process server in the above entitled action in order to assure a substantial savings in time. The undersigned swears that to the best of his knowledge and belief the persons to be appointed process server is a Constable who is experienced in the service of process, and is not a party to this action.

*Allowed
Tucker
Att
6-22-16*

RESPECTFULLY SUBMITTED,
Plaintiff, Cynthia A. Barry,
By her attorney,

[Signature]
Howard J. Potash, Esquire
390 Main Street, Suite 542
Worcester, MA 01608
(508) 754-2624
BBO# 404160

Dated: May 31, 2016

Law Offices
HOWARD J. POTASH

Suite 542
390 Main Street
Worcester, Massachusetts 01608

(508) 754-2624
Facsimile (508) 754-0866

June 1, 2016

Hand Delivered

Civil Clerk's Office
Worcester Superior Court
225 Main Street
Worcester, MA 01608

RE: Cynthia A. Barry v. UMass Memorial Medical Center and
UMass Memorial Healthcare

Dear Sir/Madam:

Enclosed herewith please find for filing and docketing in regard to the captioned matter Complaint, Motion for Special Process Server and Civil Action Cover Sheet together with our firm's check in the amount of \$275.00.

Thank you for your continued assistance.

Very truly yours,

Howard J. Potash

HJP/emn

Enclosures

cc: Mrs. Cynthia A. Barry

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT
SUPERIOR COURT DEPARTMENT

WORCESTER, ss.

CIVIL ACTION NO.

CYNTHIA A. BARRY,
Plaintiff

v.

UMASS MEMORIAL MEDICAL CENTER)
UMASS MEMORIAL HEALTHCARE,)
Defendant)

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RESPECTFULLY SUBMITTED,
Plaintiff, Cynthia A. Barry,
By her attorney,

Howard J. Potash, Esquire
390 Main Street, Suite 542
Worcester, MA 01608
(508) 754-2624
BBO# 404160

Dated: May 31, 2016